



1928

David it has been a few weeks, let's connect soon. Your Dad said you were in rough shape but now doing better. Looking forward to hearing about our results. When is the next meeting? Things are looking up.

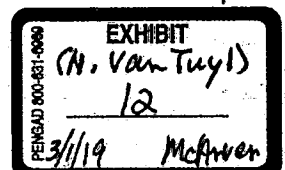
Sorry who is this ???  
My phone blanked

The biggest producer on the planet!

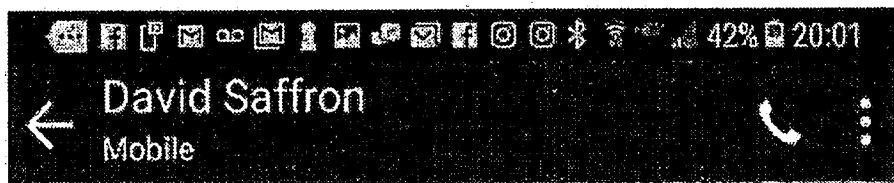
Music or film



+ Type a message...







I never wanted that  
I was in a coma for 1 week after  
robbery then in jail on a stupid fix it  
ticket

When I came out  
I went submitted to unlock bot  
And started contacting people  
I said 7 days it will all be paid giving  
me time to recoup

Then this lawyer sent letter

Plus I'm hearing from detectives  
that Rodney paid the guy  
that attacked me and that's  
disconnecting

So that's where I am  
Take your name of the lawsuit I'll  
pay you the 150 as original planned  
by Monday

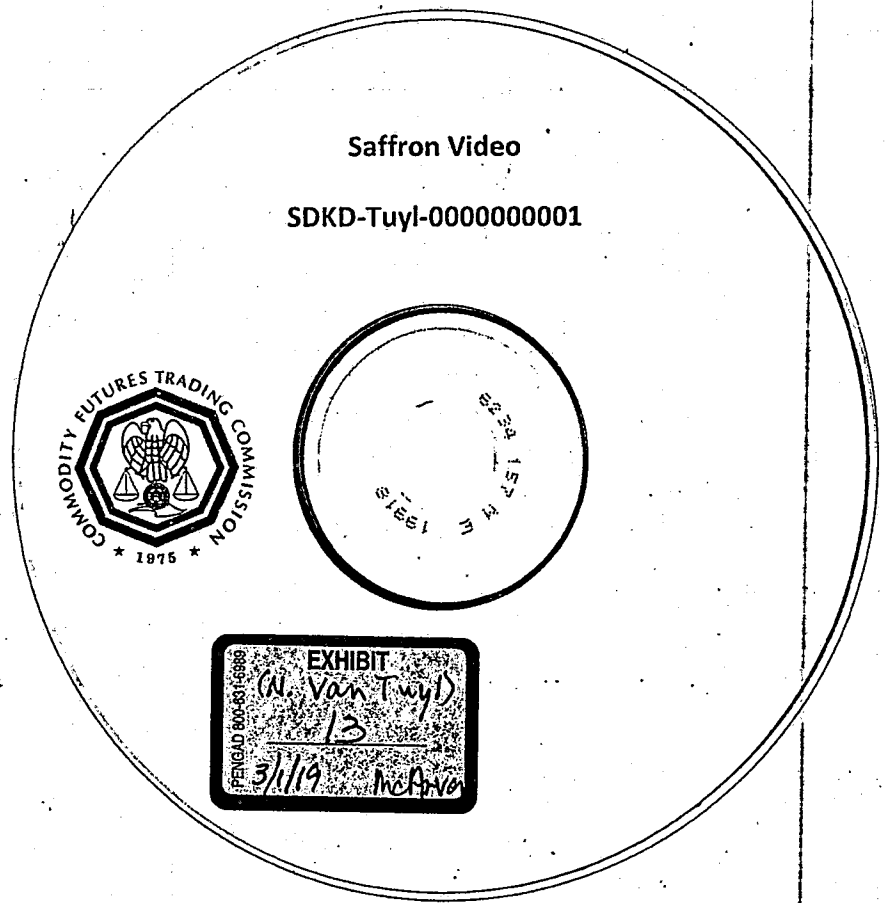
Leave it you'll get the money on  
paper Friday

D

+ |Type a message...









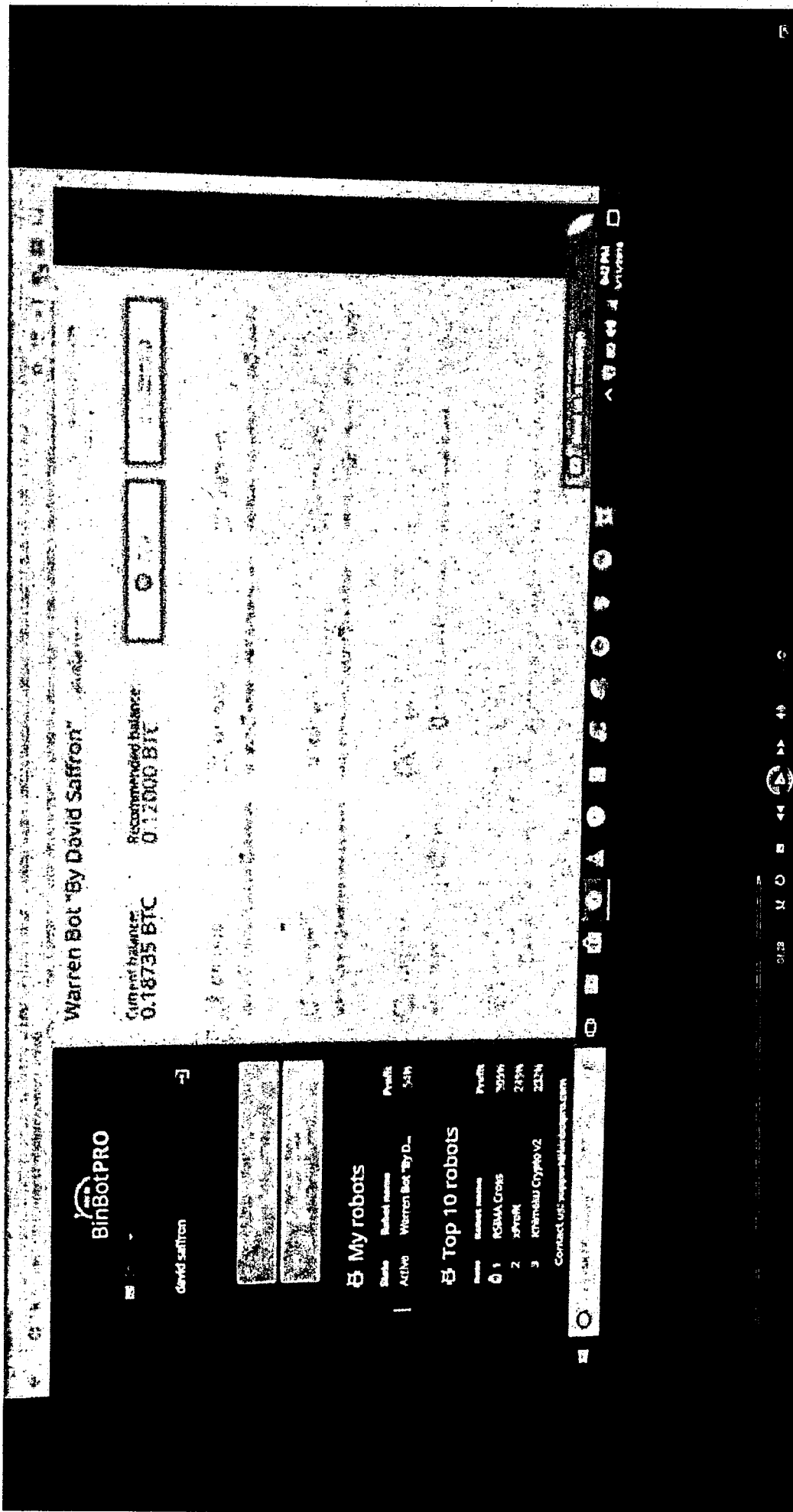


EXHIBIT  
(N. Van Tuyl)  
3/1/19  
McArret  
PENGAD 800-631-6999



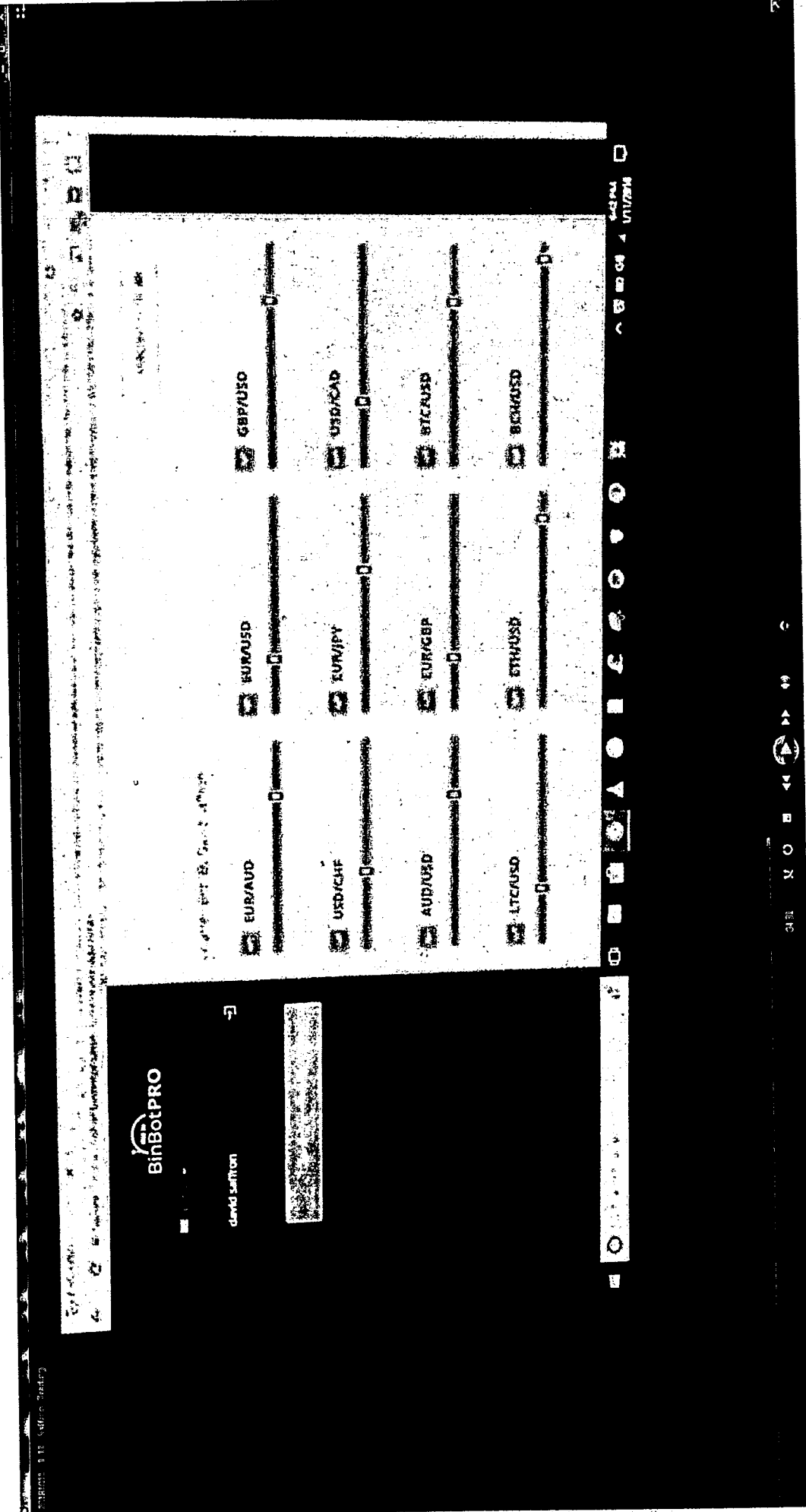


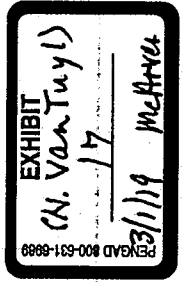
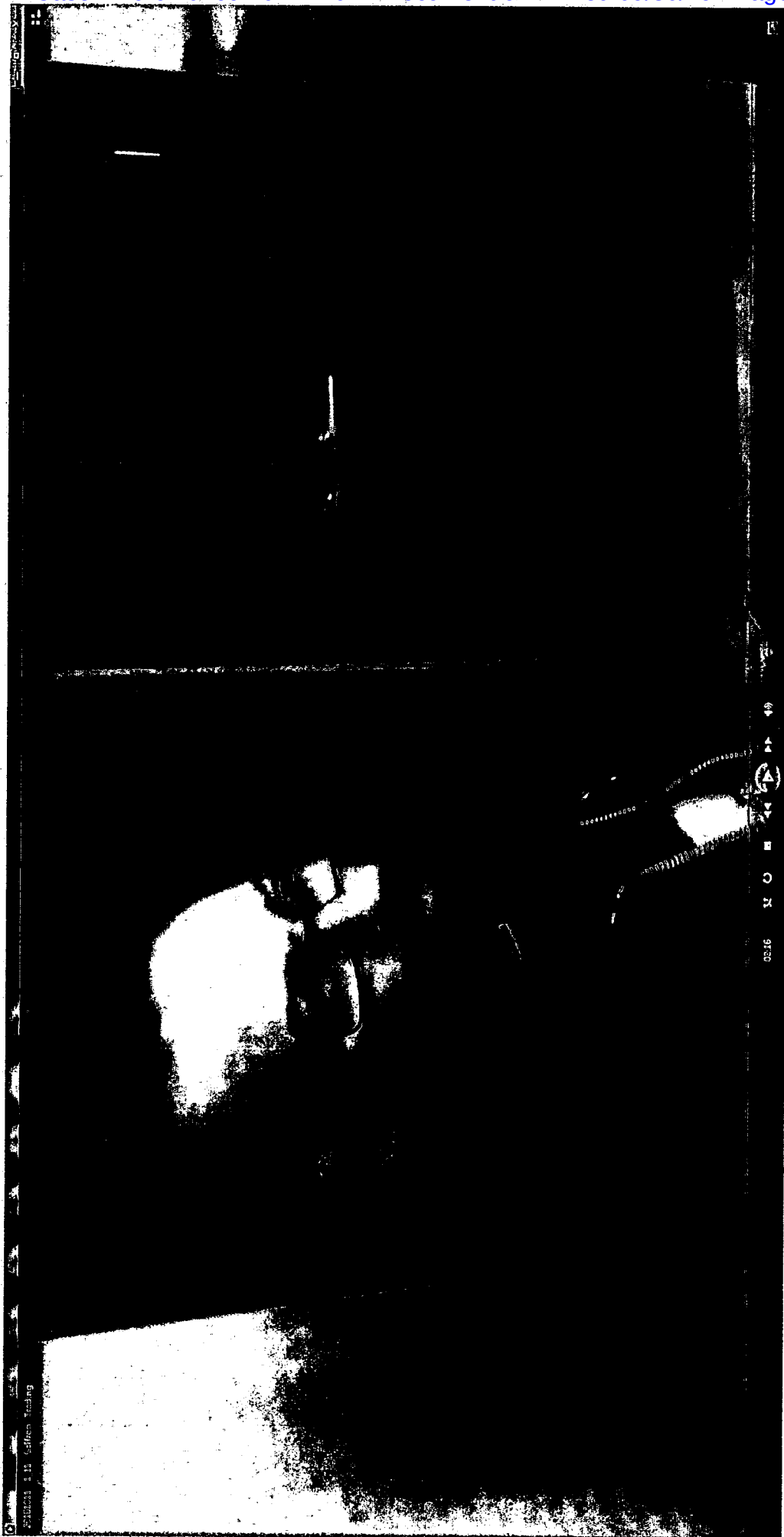
EXHIBIT  
M. Van Tuyen  
15  
3/1/19 McArver  
PENGAD 000-031-000





EXHIBIT  
N. Van Tuyt  
16  
3/1/19 McArthur  
PENGAD 800-631-6989







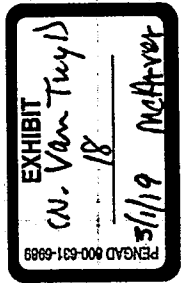
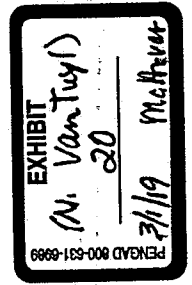




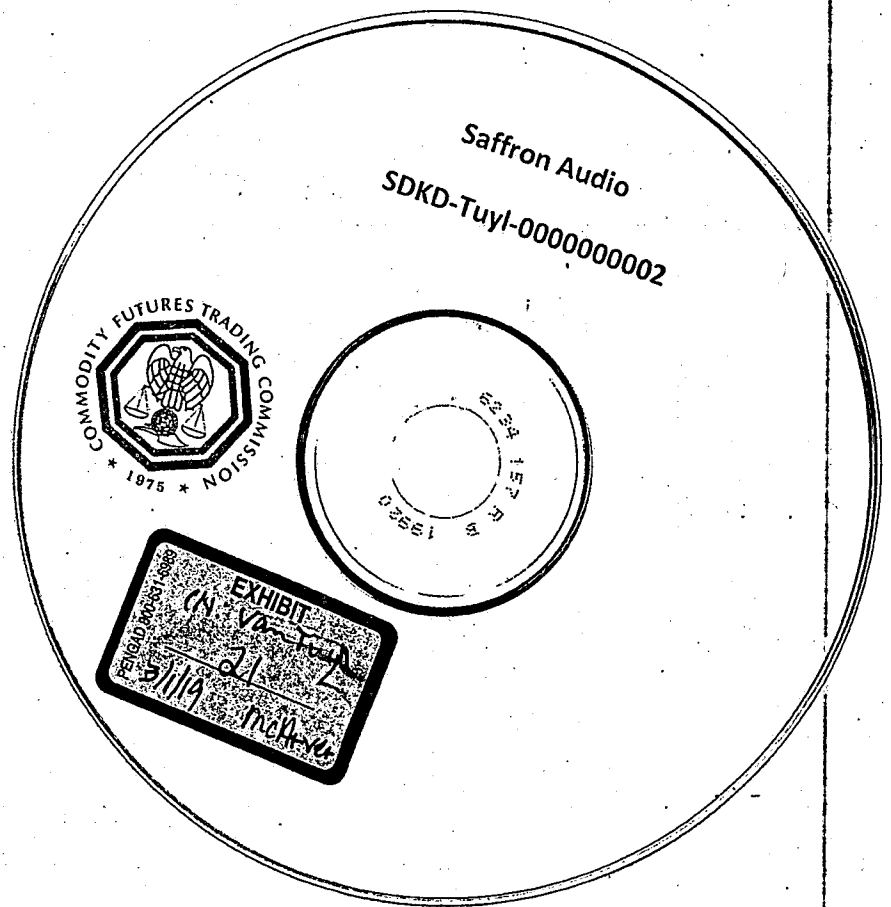


EXHIBIT  
W. Van Tuyt  
19  
3/1/19 McArthur  
PENGAD 800-631-6989











Data Sheet

Page 1 of 1



FOR OFFICIAL LAW  
ENFORCEMENT USE  
ONLY

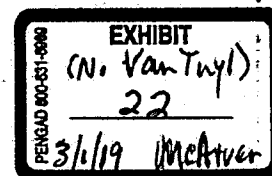
**FAIQ, AHMED**

**BOOKING#:** 5231959  
**MAIN#:** 36005856  
**SID#:** 37442143  
**FBI#:** 71E97E5KF  
**SEX:** MALE  
**RACE:** OTHER  
**HGT:** 507  
**WGT:** 120  
**HAIR COLOR:** BLACK  
**EYE COLOR:** BROWN  
**DOB:** [REDACTED] 2000  
**AGE AT ARREST:** 17  
**DL#:** CA



**ARREST DATE:** 02/13/2018  
**ARREST LOC:** 3152 SPECTRUM  
**CHARGES:** 211 ROBBERY

THE IMAGES AND DATA CONTAINED HEREIN WERE PRINTED FROM THE LOS ANGELES COUNTY  
REGIONAL IDENTIFICATION SYSTEM BY Lopez, Raul ON 02/19/2018 AT 13:21:03 FOR  
OFFICIAL LAW ENFORCEMENT USE ONLY





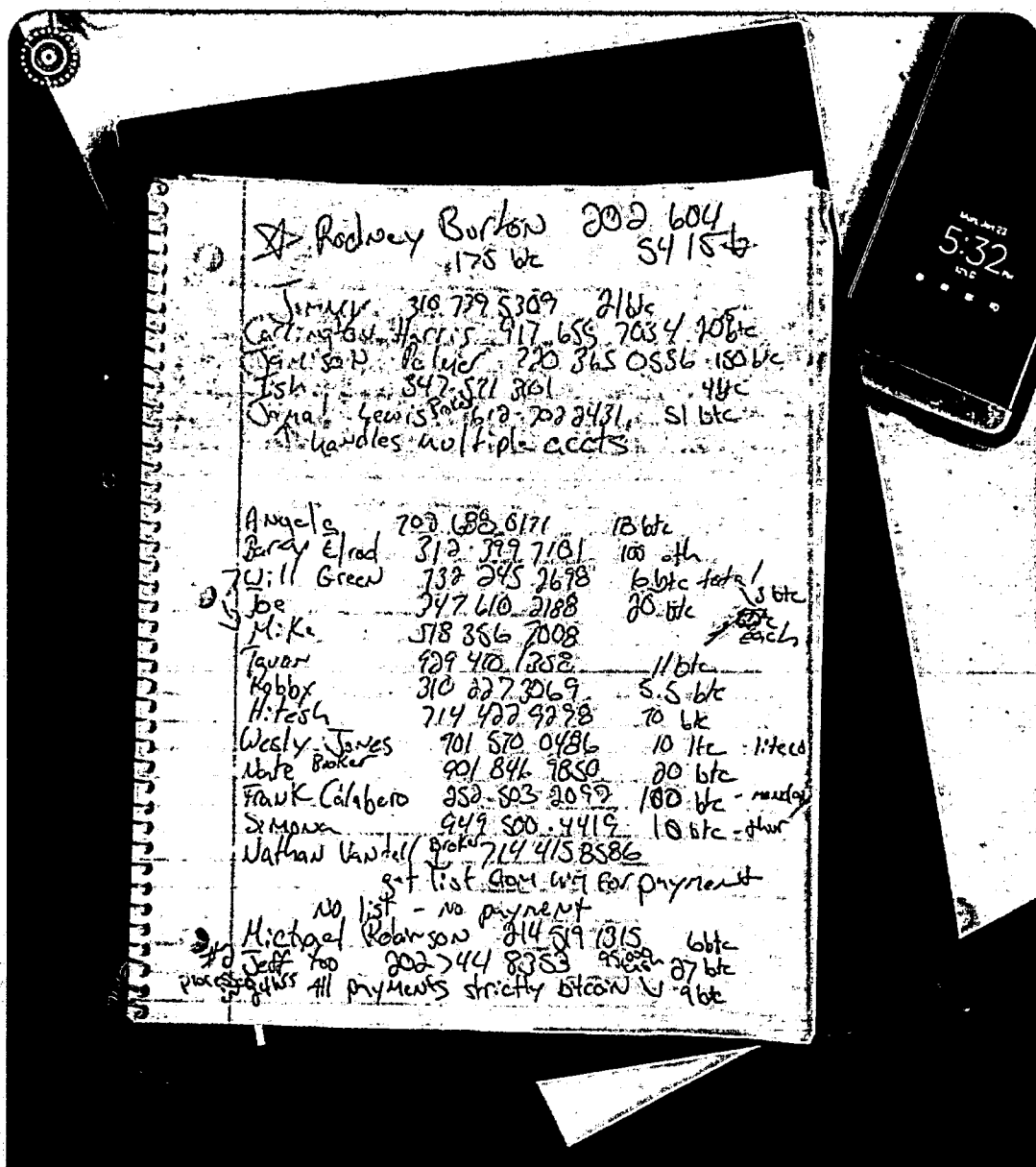
No

You will talk to the accountant I'm paying  
You will provide her list so she can cross  
check all payments

Then all payments will be made  
She has 2000 coins to do everything

The bank is owed 866.5 BTC. Doesnt seem realistic at the point. Please prove me wrong

Im literally concerned people are following me



EXHIBIT

23

PENGAD 800-031-0080



**Exhibit 14 - Transcript of David Kagel Testimony Under Oath**



**Saffron, David G; Kagel, David**

***Kagel, David 02/28/2019***

***2/28/2019 12:55 PM***

**Condensed Transcript**

**Prepared by:**

George Malas  
CFTC

Monday, September 23, 2019



Page 1

1 UNITED STATES OF AMERICA  
2 Before the  
3 COMMODITY FUTURES TRADING COMMISSION  
4  
5  
6 -----\*  
7 In the Matter of: \*  
8 David G. Saffron and David L. Kagel \*  
9 -----\*  
10  
11  
12 INVESTIGATIVE TESTIMONY  
13 DAVID L. KAGEL, ESQ.  
14 Pages 1 - 115  
15  
16 Thursday, February 28, 2019  
17 Los Angeles, California  
18  
19  
20  
21  
22  
23 Reported by: Marty E. McArver, CA-CSR No. 2769  
24 NCRA Registered Diplomat Reporter  
25

Page 3

1 APPEARANCES:  
2  
3 COUNSEL FOR COMMODITY FUTURES TRADING COMMISSION  
4 DIVISION OF ENFORCEMENT  
5 1155 21st Street, N.W.  
6 Washington, DC 20581  
7 BY: DANIELLE E. KARST, ESQ.  
8 Trial Attorney  
9 202.418.6158  
10 dkarst@cftc.gov  
11 -- and --  
12 GEORGE H. MALAS  
13 Futures Trading Investigator  
14 202.418.5249  
15 gmalas@cftc.gov  
16  
17  
18 COUNSEL FOR SECURITIES AND EXCHANGE COMMISSION  
19 DIVISION OF ENFORCEMENT  
20 444 South Flower Street  
21 Los Angeles, California 90071  
22 BY: MORGAN B. WARD DORAN, ESQ.  
23 Senior Special Counsel, Cyber Unit  
24 323.965.3230  
25 warddoranm@sec.gov

Page 2

1 UNITED STATES OF AMERICA  
2 Before the  
3 COMMODITY FUTURES TRADING COMMISSION  
4  
5  
6 -----\*  
7 In the Matter of: \*  
8 David G. Saffron and David L. Kagel \*  
9 -----\*  
10  
11  
12  
13  
14  
15  
16 INVESTIGATIVE TESTIMONY OF DAVID L. KAGEL, ESQ.,  
17 taken by the Commodity Futures Trading Commission,  
18 pursuant to Subpoena Ad Testificandum, at Securities  
19 and Exchange Commission, 444 South Flower Street, Los  
20 Angeles, California, on Thursday, February 28, 2019,  
21 from 9:31 a.m. to 12:55 p.m. before Marty E. McArver,  
22 Certified Shorthand Reporter No. 2769 in and for the  
23 State of California, and Registered Diplomat Reporter.  
24  
25

Page 4

1 INDEX  
2  
3 WITNESS PAGE  
4 DAVID L KAGEL, ESQ.  
5  
6 Examination by Ms. Karst 9  
7  
8  
9 DOCUMENTS/INFORMATION REQUESTED  
10 Pages 43, 52, 61, 75, 80, 101, 106, 108, 113  
11  
12  
13 QUESTIONS THE WITNESS DID NOT ANSWER  
14 DUE TO FIFTH AMENDMENT AND/OR ATTORNEY-CLIENT PRIVILEGE  
15  
16 Page Line Page Line  
17 25 5,12,14,18 35 2,22  
18 27 22 36 21  
19 28 16 37 2  
20 30 23 41 11  
21 31 3 42 4,9,20  
22 32 10,18 44 9  
23 33 7,13,17,21,25 47 14  
24 34 4,8,17,24 50 3,7  
25 81 9



Page 5				Page 7			
1	EXHIBITS			1	EXHIBITS (continued)		
2				2			
3	DAVID L KAGEL, ESQ.			3	DAVID L KAGEL, ESQ.		
4	(COMMISSION'S)	DESCRIPTION	MARKED	4	(COMMISSION'S)	DESCRIPTION	MARKED
5	No 1	Letter of January 30, 2019,	11	5	No 9	Letter of March 2, 2018, to	76
6		to David L. Kagel from CFTC		6		State Bar of California from	
7		with Subpoena Ad Testificandum		7		J. Owen Murrin Re: David	
8		and Statement to Persons		8		Kagel; SDKD-Murrin-0000000024	
9		Providing Information about		9		P.0001-013	
10		Themselves to the CFTC		10	No 10	Saffron Video; SDKD-Tuyl-	84
11		(15 pages)		11		0000000001	
12	No 2	Letter of January 7, 2018, to	23	12		NOTE: Original DVD retained	
13		Hitesh Juneja and Jason Rose	(24)	13		by CFTC; photocopy of label	
14		from David L. Kagel;		14		substituted	
15		SDKD-Hitesh-0000000006 P.0001		15	No 11	Screenshot from Exhibit 10	85
16	No 3	Letter of January 8, 2018, to	23	16		taken at 4 minutes, 28 seconds	(86)
17		Nathan Van-Tuyl from David L.	(40)	17	No 12	Screenshot from Exhibit 10	85
18		Kagel; SDKD-Tuyl-0000000006		18		taken at 4 minutes, 31 seconds	(87)
19		P.0001		19	No 13	Screenshot from Exhibit 10	92
20	No 4	Letter of January 10, 2018, to	23	20		taken at 8 minutes, 7 seconds	(93)
21		Frank Calabro, Jr., from David	(43)	21	No 14	Screenshot from Exhibit 10	92
22		L. Kagel; SDKD-Calabro-0000000018		22		taken at 8 minutes, 16 seconds	(93)
23		P.0001		23	No 15	Screenshot from Exhibit 10	94
24				24		taken at 9 minutes, 37 seconds	
25				25			
Page 6				Page 8			
1	EXHIBITS (continued)			1	EXHIBITS (continued)		
2				2			
3	DAVID L KAGEL, ESQ.			3	DAVID L KAGEL, ESQ.		
4	(COMMISSION'S)	DESCRIPTION	MARKED	4	(COMMISSION'S)	DESCRIPTION	MARKED
5	No 5	Letter of February 5, 2018,	44	5	No 16	Screenshot from Exhibit 10	96
6		to David L. Kagel, Ina Kagel,		6		taken at 10 minutes, 15 seconds	
7		and David Saffron from J. Owen		7	No 17	Screenshot from Exhibit 10	96
8		Murrin; SDKD-Murrin-0000000011		8		taken at 10 minutes, 17 seconds	
9		P.0001-03		9	No 18	Saffron Audio; SDKD-Tuyl-	98
10	No 6	Letter of February 12, 2018,	44	10		0000000002	
11		to J. Owen Murrin from David L.	(53)	11		NOTE: Original DVD retained	
12		Kagel; SDKD-Murrin-0000000047		12		by CFTC; photocopy of label	
13		P.001		13		substituted	
14	No 7	Letter of February 15, 2018,	59	14	No 19	DVD played for witness	104
15		to David L. Kagel, Ina Kagel,		15		NOTE: Original DVD retained	
16		and David Saffron from J. Owen		16		by CFTC; photocopy of DVD	
17		Murrin; SDKD-Murrin-0000000051		17		substituted	
18		P.0001-04		18			
19	No 8	E-mail from David Kagel to J.	63	19			
20		Owen Murrin, March 01, 2018,		20			
21		with forwarded e-mails between		21			
22		David L. Kagel and QM Finace of		22		(Original Exhibits No 10, No 18, and	
23		Feb 27 and 28, 2018; SDKD-Murrin-		23		No 19 were retained by counsel for the	
24		0000000018 P.0001 - 04		24		Commodity Futures Trading Commission.)	
25				25			



Page 49

1 Q Did Mr. Saffron's clients contact you?  
 2 A I don't recall that they did. They may have,  
 3 but I don't -- I don't recall whether or not they did.  
 4 Q You don't know if they called you on the phone?  
 5 A I don't recall receiving telephone calls.  
 6 Q What about writing you any letters?  
 7 A No.  
 8 Q What about sending you any e-mails?  
 9 A No.  
 10 Q Do you see the last part of the sentence where  
 11 it states: "...it now appears that Mr. Kagel seems to  
 12 be back-pedaling on whether or not he has access to the  
 13 cryptocurrency wallet?"  
 14 A Yes, I see it.  
 15 Q Is that a true statement?  
 16 A No.  
 17 Q Why not?  
 18 A Back-pedaling, I don't --  
 19 I responded to Mr. Murrin's letter and explained  
 20 the situation to him.  
 21 Q Okay. Well, we'll get to that.  
 22 Did your position change on whether or not you  
 23 had access to the wallet that was referenced in the  
 24 January 2018 letters?  
 25 A Yes.

Page 50

1 Q How so?  
 2 A The wallet was stolen from Mr. Saffron.  
 3 Q So when you wrote the letters, you had access  
 4 to the wallet?  
 5 A Again, that's -- I'm going to stand on the  
 6 privilege for that, both privileges.  
 7 Q You're asserting the privilege over a question  
 8 of fact as to whether or not you had access to  
 9 Mr. Saffron's wallet as you represented in the letters  
 10 to the third parties?  
 11 A There's a question of attorney-client privilege,  
 12 and I think I have to stand on the privilege.  
 13 Q How is it attorney-client privilege? I'm asking  
 14 you a fact.  
 15 A Communications between Mr. Saffron and me --  
 16 Q I'm not asking you about communications with  
 17 Mr. Saffron. I'm simply asking you whether or not you,  
 18 indeed, had access to the wallet as you reference in the  
 19 letters.  
 20 A I believe I did.  
 21 Q You believe you did?  
 22 A Yes.  
 23 Q How did you have access to the wallet?  
 24 A Mr. Saffron showed me what I believed to be  
 25 access to the wallet.

Page 51

1 Q What did he show you?  
 2 A A computer screen.  
 3 Q What did the computer screen show?  
 4 A It said 1,000 bitcoins, BTC, or -- I don't  
 5 remember exactly.  
 6 Q Did you have a log-in or a pass-code for this  
 7 wallet?  
 8 A He gave it to me, yes.  
 9 Q Did you ever try to use it?  
 10 A No.  
 11 Q Why not?  
 12 A I had no need to.  
 13 Q Why?  
 14 A Well, by that time the wallet had been stolen.  
 15 Q When did you first get access to the wallet?  
 16 A I'm not sure exactly, but prior to the time these  
 17 letters were written.  
 18 Q So prior to January 7, 2018, you had access to a  
 19 wallet?  
 20 A I believe I did, yeah.  
 21 Q Do you still have access?  
 22 A No.  
 23 Q When did you lose access?  
 24 A When the wallet was stolen.  
 25 Q When was the wallet stolen?

Page 52

1 A I think it was January 23.  
 2 Q What is the log-in and pass-code you were  
 3 provided?  
 4 A It was a series of -- a series of words.  
 5 Q Do you have the pass-code?  
 6 A I believe I do, yes.  
 7 Q In your files?  
 8 A Yes.  
 9 Q Can you provide me with a copy?  
 10 A Yes.  
 11 Q Let's go back to page 2 of Exhibit No 5,  
 12 Mr. Kagel. Do you see a list of names there in the  
 13 middle of the page?  
 14 A Yes.  
 15 Q And do you recognize those names?  
 16 A Yes.  
 17 Q And who are they?  
 18 A They were people who supposedly deposited money  
 19 or bitcoins with Mr. Saffron.  
 20 Q Did you talk to any of these individuals?  
 21 A I don't recall speaking to any of them.  
 22 Q Did you write letters to these individuals in  
 23 January 2018?  
 24 A Yes.  
 25 Q To all of them?



KAGEL LAW  
A Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
TELEPHONE: (310) 860-9975  
E-MAIL: dkagel@earthlink.net

January 7, 2018

Hitesh Juneja  
Jason Rose  
I&H Business Institute Corp., LLC  
21402 Harbor Water Drive  
Cypress TX 77433

Gentlemen:

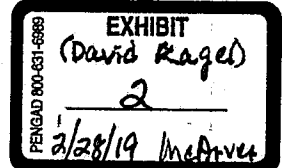
This firm acts as counsel to David Saffron. We understand that you will be depositing bitcoin and other forms of cryptocurrency with Mr. Saffron which he will be investing on your behalf. He has agreed to return your investment to you together with a profit. In order to assure that your deposit will be returned in the event that Mr. Saffron is unable or unwilling to do so he has deposited at least one thousand bitcoin in a wallet to which he has given us access. He has agreed to at all times maintain the deposit in the wallet and give this firm unrestricted access to it. If you have not received the return of your deposit from Mr. Saffron following ten business days' notice to him with a copy to us, upon five business days' notice to us we will return your deposit from the aforementioned wallet.

You agree to copy us on all written communication between you and Mr. Saffron and to advise us of the contents of all verbal communications between the two of you.

Very truly yours,

Kagel Law, a Professional Corporation

By   
David L. Kagel





**KAGEL LAW**  
A Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
TELEPHONE: (310) 860-9975  
E-MAIL: dkagel@earthlink.net

January 8, 2018

Nathan Van-Tuyl  
NVanthuyt@gmail.com

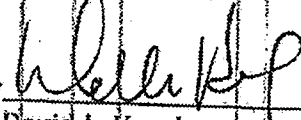
Dear Mr. Van-Tuyl:

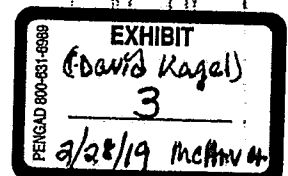
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**KAGEL LAW**  
A Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
TELEPHONE: (310) 860-9975  
E-MAIL: [dkagel@earthlink.net](mailto:dkagel@earthlink.net)

January 10, 2018

Frank Calabro, Jr.  
[frankiecalabrojr@gmail.com](mailto:frankiecalabrojr@gmail.com)

Dear Mr. Calabro:

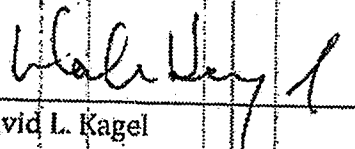
This firm acts as counsel to David Saffron. We understand that you will be depositing bitcoin and other forms of cryptocurrency with Mr. Saffron which he will be investing on your behalf. He has agreed to return your investment to you together with a profit. In order to assure that your deposit will be returned in the event that Mr. Saffron is unable or unwilling to do so he has deposited at least one thousand bitcoin in a wallet to which he has given us access. He has agreed to at all times maintain the deposit in the wallet and give this firm unrestricted access to it. If you have not received the return of your deposit from Mr. Saffron following ten business days' notice to him with a copy to us, upon five business days' notice to us we will return your deposit from the aforementioned wallet.

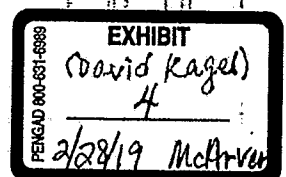
You agree to copy us on all written communication between you and Mr. Saffron and to advise us of the contents of all verbal communications between the two of you.

Very truly yours,

Kagel Law, a Professional Corporation

By

  
David L. Kagel





**Exhibit 15 - Transcript of Preston Sterling Kerr Testimony  
Under Oath**



**Saffron, David G; Kagel, David**

***Kerr, Sterling 03/27/2019***

***3/27/2019 9:20 AM***

**Condensed Transcript**

**Prepared by:**

George Malas  
CFTC

Monday, September 23, 2019



<p>Page 1</p> <p>1 ) 2 ) 3 ) 4 ) 4 IN RE: DAVID G. SAFFRON and ) DAVID L. KAGEL ) 5 ) 6 ) 7 ) 8 ) 9 ) 10 ) 11 ) 12 EXAMINATION UNDER OATH OF P. STERLING KERR 13 VOLUME I 14 Taken on Wednesday, March 27, 2019 15 By a Certified Court Reporter 16 At 9:20 a.m. 17 At 501 Las Vegas Boulevard South 18 Las Vegas, Nevada 19 20 21 22 Reported by: Wendy Sara Honable, CCR No. 875 Nevada CSR No. 875 23 California CSR No. 13186 Washington CCR No. 2267 24 Utah CCR No. 7357039-7801 25</p>	<p>Page 3</p> <p>1 2 3 4 EXAMINATION INDEX 5 6 EXAMINATION BY: PAGE NO. 7 MR. MULREANY 4 8 MR. MARSH 207 9 10 &lt;&lt;&lt;&lt;&lt;&lt; &gt;&gt;&gt;&gt;&gt;&gt; 11 12 13 EXHIBIT INDEX 14 15 EXHIBIT NO. DESCRIPTION PAGE NO. 16 17 (All Exhibits Retained by Counsel for CFTC) 18 19 20 &lt;&lt;&lt;&lt;&lt;&lt; &gt;&gt;&gt;&gt;&gt;&gt; 21 22 23 24 25</p>
<p>Page 2</p> <p>1 2 3 4 APPEARANCES 5 6 For the Commodity Futures Trading Commission: 7 Timothy J. Mulreany George H. Malas 8 Division of Enforcement 1155 21st Street Northwest 9 Washington, DC 20581 202.418.5000 10 202.818.3129 Fax tmulreany@cftc.gov gmalas@cftc.gov 11 12 For the Deponent: 13 Russell E. Marsh 14 Wright Marsh &amp; Levy 300 South Fourth Street 15 Suite 701 Las Vegas, Nevada 89101 16 702.382.4004 russ@wmlawlv.com 17 18 19 20 &lt;&lt;&lt;&lt;&lt;&lt; &gt;&gt;&gt;&gt;&gt;&gt; 21 22 23 24 25</p>	<p>Page 4</p> <p>1 PROCEEDINGS 2 (Counsel stipulated to waive 3 the reporter requirements 4 under Rule 30(b)(4).) 5 (Witness sworn.) 6 7 P. STERLING KERR, 8 having been first duly sworn, was 9 examined and testified as follows: 10 11 12 EXAMINATION 13 BY MR. MULREANY: 14 Q. Could you please state your full name for 15 the record, sir. 16 A. My full name is Preston Sterling Kerr. 17 Q. And what's your home address? 18 A. [REDACTED], Henderson, 19 Nevada. 20 Q. All right. Mr. Kerr, my name is Timothy 21 Mulreany, and I'm a chief trial attorney at the 22 United States Commodity Futures Trading Commission. 23 If it's acceptable to you, I'm going to 24 refer to the United States Commodity Futures Trading 25 Commission as the CFDC.</p>



Page 45

1 were deposited into your personal Coinbase account?  
 2 A. I don't know offhand. I would have to go  
 3 through the records and total it up. I know  
 4 recently that I received two retainers from him.  
 5 Q. Okay. Do you recall those recently  
 6 received retainer amounts?  
 7 A. Yeah. They were 5 Bitcoin each, so  
 8 roughly 19,000.  
 9 Q. Okay. While we're getting these together  
 10 -- and it's my fault, not George's -- are you aware  
 11 of any Instagram, Twitter, or phone applications,  
 12 otherwise known as apps, utilized by Circle Society?  
 13 A. I'm not.  
 14 Q. Okay. Sir, I'm going to show you what we  
 15 are going to identify as Exhibit No. 36, and I will  
 16 represent for the record that it's a copy of your  
 17 Coinbase transaction history received by the CFTC  
 18 pursuant to subpoena served upon Coinbase.  
 19 And I will further note that we received  
 20 that as part of your voluntary corporation with the  
 21 CFTC as well.  
 22 Have you seen that before, sir?  
 23 A. I have.  
 24 Q. For the record, that's a four-page  
 25 document; is that correct?

Page 46

1 A. Yes.  
 2 Q. If I were to hand you a highlighter,  
 3 could you highlight those transactions that are  
 4 associated with Mr. Saffron?  
 5 A. I'm going to highlight what I recall from  
 6 my memory.  
 7 Q. That's all I can ask. I also have, for  
 8 the record, which we received just recently, a  
 9 spreadsheet which contains notations and hash  
 10 transaction numbers from Coinbase that were not  
 11 supplied in the original production.  
 12 For the record, I'm going to provide a  
 13 copy to your counsel --  
 14 MR. MULREANY: -- which you can keep,  
 15 Mr. Marsh, because we indicated to you that we would  
 16 provide you with the documents that we received from  
 17 Coinbase, and that is one of the documents we  
 18 received from Coinbase.  
 19 MR. MARSH: I have it as well.  
 20 MR. MULREANY: Oh, you have it?  
 21 MR. MARSH: I think I have it in a larger  
 22 version, though.  
 23 MR. MULREANY: For the record, the  
 24 detailed transaction data has been marked as Exhibit  
 25 37.

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1 (Exhibit Nos. 36 and 37 marked  
 2 for identification.)  
 3  
 4 MR. MULREANY: Let's go off the record at  
 5 10:12 while Mr. Kerr is reviewing that document.  
 6 (Recess 10:12 to 10:13 a.m.)  
 7  
 8  
 9 MR. MULREANY: Back on the record at  
 10 10:13.  
 11 THE WITNESS: So I know some from memory,  
 12 which I have highlighted here, but I know he also  
 13 paid his bills during the course of the fall and  
 14 early -- of 2018 and 2019 via Bitcoin.  
 15 So I know some of these transactions in  
 16 October, November, and December are probably from  
 17 David. I'm guessing on -- the ones I'm guessing on,  
 18 I will put an X by, because that looks like what the  
 19 bill amount was, and just the timing of it because  
 20 they send bills out the first week.  
 21  
 22 EXAMINATION (Continuing)  
 23 BY MR. MULREANY:  
 24 Q. Of the month?  
 25 A. Yeah.

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1 Q. And when you say "David," for the record,  
 2 you're referring to Mr. Saffron?  
 3 A. Correct.  
 4 Q. Okay. Thank you, sir.  
 5 MR. MULREANY: For the record, Mr. Kerr  
 6 has handed me what's been marked as Exhibit 36,  
 7 which he has been kind enough to highlight certain  
 8 transactions. If we can go through them.  
 9 For the record, there's a transaction of  
 10 5 Bitcoin --  
 11 BY MR. MULREANY:  
 12 Q. And just so our record's clear, when the  
 13 document refers to "BTC," that's an acronym for  
 14 Bitcoin; is that correct, sir?  
 15 A. Correct.  
 16 Q. All right. And so dated March 8th, 2019,  
 17 there's 5 Bitcoins you received; is that correct?  
 18 A. Correct.  
 19 Q. Okay. And on February 27, 2019, you also  
 20 received 5 Bitcoins; is that correct?  
 21 A. Correct.  
 22 Q. Okay. And each of those transactions  
 23 were worth approximately \$19,000; is that correct?  
 24 A. That's right.  
 25 Q. Okay. There is also a highlighted entry



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1 on September 5, 2018, in which you received just  
 2 over 0.2 Bitcoins; is that correct?  
 3 A. Correct.  
 4 Q. Okay.  
 5 A. I think that corresponds with the fee  
 6 that I charged to set up the corporation Circle  
 7 Society Corp.  
 8 Q. And then you have a number of  
 9 transactions highlighted, of which you are unsure if  
 10 they are associated with Mr. Saffron; is that  
 11 correct?  
 12 A. Yeah. There actually could be more --  
 13 Q. Okay.  
 14 A. -- Bitcoin transfers, but I know that --  
 15 my understanding is, is that when we would send out  
 16 a bill, he could review it in the portal, and he  
 17 would pay it via Bitcoin billed via Bitcoin, and so  
 18 I've highlighted and put an X next to the ones that  
 19 I think are payments against a fee.  
 20 Q. Okay. So on Page 2 of 4 of Exhibit 36, a  
 21 transaction dated December 7, 2018, there's a -- you  
 22 received just over 0.8 Bitcoin; is that correct?  
 23 A. Based on that record, yes, I think that's  
 24 correct.  
 25 Q. And then there's a second transaction on

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1 Page 2 of 4 of Exhibit 36 dated November 9, 2018, in  
 2 which you received just over 0.6 Bitcoin; is that  
 3 correct?  
 4 A. Correct.  
 5 Q. And there's a third transaction on Page 2  
 6 of 4 of Exhibit 36 dated September 10, 2018; for  
 7 just over 0.7 Bitcoin; is that correct?  
 8 A. I think so.  
 9 Q. There's a fourth on Page 3 of 4 dated  
 10 June 15, 2018, in which you received 0.4 Bitcoin; is  
 11 that correct?  
 12 A. Yes, but 0.4 -- I think 0.2 of that was  
 13 Bitcoin that I had sent to David, and then I think  
 14 within half an hour he sent back that amount, so it  
 15 doubled the amount of coin that I sent him.  
 16 Q. Okay. And that all took place on June  
 17 15, 2018?  
 18 A. Yes.  
 19 Q. Okay. And that's reflected in the  
 20 immediately preceding transaction in which it  
 21 indicates that, on 6/15/2018, you sent Bitcoin to a  
 22 wallet with the last four digits kR8S 0.2 Bitcoin;  
 23 is that correct?  
 24 A. Yes.  
 25 Q. Okay. And there's nothing on Page 4 of 4

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1 of Exhibit 36 that's been highlighted; is that  
 2 correct?  
 3 A. However, I -- for the record, there may  
 4 be more transactions than that. Those are the ones  
 5 that I'm fairly certain of or know for sure, like  
 6 the two 5 coin ones that were just recent that were  
 7 in my Coinbase account, which, by the way, just so  
 8 it's clear, I have one Coinbase account, and I use  
 9 it -- and it's in conjunction with my own personal  
 10 things.  
 11 But it's also the same account I use for  
 12 business-related transactions. Since it's a new  
 13 thing and it's -- you know, at the end of the day,  
 14 not a lot of revenue is generated through that.  
 15 Q. When you receive Bitcoin from a client  
 16 into your personal Coinbase account for unearned  
 17 fees, when those fees are earned, how do you --  
 18 what's the disposition of the funds in your Coinbase  
 19 account?  
 20 A. So sometimes it is the -- let's put it  
 21 this way: The Coinbase account is connected to a  
 22 Chase Bank account that I have, so I can take the  
 23 Bitcoin and convert it into US dollars and then  
 24 write it a check and bring that back into the firm's  
 25 general account.

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1 I -- I have not done that in very many  
 2 cases. I think there's a few times that I've done  
 3 that. I do have a recollection of one time with  
 4 Mr. Saffron, because I had to pay for inspections on  
 5 a house that he was interested in buying, and that's  
 6 what he had retained my firm to do.  
 7 And so I was providing -- I was paying  
 8 the inspectors that were doing it, like the home  
 9 inspectors, from those funds, and he had paid the  
 10 firm through the Coinbase account in Bitcoin.  
 11 Q. Let me see if I can break that down a  
 12 little bit.  
 13 Saffron deposits Bitcoin into your  
 14 personal Coinbase account, correct?  
 15 A. Yeah. Like I said, it's my personal  
 16 account, but I'm also the sole owner of the Law  
 17 Offices of P. Sterling Kerr, Professional  
 18 Corporation, and so, yes.  
 19 Q. The Law Offices of P. Sterling Kerr,  
 20 Professional Corporation is a professional  
 21 corporation, correct?  
 22 A. Correct.  
 23 Q. It is a legal entity recognized by the  
 24 State of Nevada, correct?  
 25 A. Correct.



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1 A. I don't know. I don't think it has, but  
 2 it's -- I mean, it's possible.  
 3 Q. Why would you think it has not?  
 4 A. I don't know. I would assume that there  
 5 would have been some discussion between my firm and  
 6 a CPA regarding tax paperwork or corporate paperwork  
 7 for the return.  
 8 Q. Okay. Who is David Gilbert Saffron?  
 9 A. He's an Australian citizen, and he's a  
 10 man.  
 11 Q. Okay. How is it you came to meet or be  
 12 associated with Mr. Saffron?  
 13 A. So I have two clients -- a gentleman  
 14 named Brian Johnson and another client named Justin  
 15 Baraglia -- who hired my law firm to help them set  
 16 up some business entities.  
 17 And in the course of my representation,  
 18 they indicated to me that they had met this person  
 19 who was trading Bitcoin and making phenomenal  
 20 returns and they wanted to do business with him, and  
 21 they wanted me to meet him.  
 22 And so they asked if the next time they  
 23 were up from California they could meet in my office  
 24 and invite Mr. Saffron to come. I said that would  
 25 be fine.

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1 Q. Do you recall when that conversation took  
 2 place?  
 3 A. I'm guessing in May of 2018.  
 4 Q. Okay. And did there come a time when you  
 5 met Mr. Saffron at your office?  
 6 A. I did.  
 7 Q. And do you recall what date that was?  
 8 A. Not specifically, but it would be  
 9 sometime in May, I believe.  
 10 Q. Of 2018?  
 11 A. Yes.  
 12 Q. And can you describe the circumstances  
 13 surrounding your initial introduction and meeting  
 14 with Mr. Saffron purportedly in May of 2018?  
 15 A. Yeah. So these two clients were planning  
 16 on doing business with him, and I think they wanted  
 17 me to talk to this guy and vet him somewhat.  
 18 So he showed up at my office with Justin  
 19 and Brian, and he had like five security guards with  
 20 him. So they came into my office and we had a  
 21 meeting.  
 22 Q. Okay. Do you recall the names of any of  
 23 the security guards Mr. Saffron had accompanying him  
 24 to your initial meeting?  
 25 A. I don't. I don't know that they

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1 introduced themselves, actually.  
 2 Q. And do you recall what you talked about  
 3 with Mr. Saffron at that initial meeting?  
 4 A. They -- yeah. There was just a general  
 5 discussion. He was talking about what he did, that  
 6 he was a -- you know, a genius when it came to  
 7 mathematics and computer programming and that he had  
 8 created some algorithms that he called bots.  
 9 Q. B-o-t-s?  
 10 A. Yeah, I'm assuming, robot, bots.  
 11 And that these bots would generate trades  
 12 at, you know, lightning speed on the various  
 13 exchanges and that by making trades so quickly  
 14 through these bots that he was able to take an  
 15 amount of Bitcoin and multiply it exceedingly  
 16 quickly.  
 17 Q. Did Mr. Saffron provide you with any  
 18 websites to review or documents to review at that  
 19 time?  
 20 A. They probably showed me a website called  
 21 Omicron.  
 22 Q. And that would be for Omicron Trust; is  
 23 that correct?  
 24 A. I think so.  
 25 Q. That website is no longer active; is that

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1 correct?  
 2 A. I don't know.  
 3 Q. When's the last time you reviewed that  
 4 website?  
 5 A. Maybe July or August of 2018.  
 6 Q. Did you have anything to do with the  
 7 formation of Omicron Trust?  
 8 A. No.  
 9 Q. So after your initial meeting and  
 10 Mr. Saffron's description of himself as a genius and  
 11 creator of algorithmic bots, what, if anything,  
 12 happened?  
 13 A. I think that was it, and I think maybe a  
 14 week or so later, Justin and Brian came --  
 15 Q. Mr. Johnson and Mr. Baraglia?  
 16 A. Right.  
 17 And asked me to help them figure out a  
 18 way that they could do business with Mr. Saffron,  
 19 and I proposed to them doing a hedge fund where  
 20 Saffron would not be the one out soliciting and that  
 21 any investors would be accredited investors through  
 22 a fund and that those guys would get their licenses  
 23 as registered investment advisers and that if they  
 24 solicited someone who wanted to be in the  
 25 cryptocurrency fund that -- potentially that would



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1 be a legal way of doing it.

2 And the fund could have an investment  
3 adviser contract with Saffron where he would trade  
4 on behalf of the fund rather than on behalf of  
5 numerous individuals.

6 Because they were -- Mr. Johnson and  
7 Mr. Baraglia had friends and associates that they  
8 wanted to bring in and be able to, obviously, make  
9 money and make returns for through using  
10 Mr. Saffron's algorithms.

11 Q. Prior to that discussion, had you ever  
12 set up such a business structure?

13 A. I had done non-offshore deals, you know,  
14 where we have a private placement memorandum that's  
15 generated. Typically, my firm doesn't do that. We  
16 typically don't create the private placement  
17 memorandum.

18 That's kind of outside of what I want to  
19 do, and it has a lot of liability that goes along  
20 with it, but over the years, I have reviewed several  
21 for clients and helped them structure and do regular  
22 filings with the SEC.

23 Q. How many SEC Rule 506(c) Regulation D  
24 filings have you done in the past?

25 A. Where I've actually been the one that has

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1 done the filing?

2 Q. Yes, sir.

3 A. Probably not many. I would guess maybe  
4 in 30 -- or 28 years, maybe three --

5 Q. Okay.

6 A. -- but there are often times where the  
7 attorney is not involved in that at all. The client  
8 does it, does the filing themselves, and, you know,  
9 they just come to the counsel for advice, which I  
10 would guess I have done that several times over the  
11 years.

12 Q. Why were you concerned that no  
13 solicitations take place?

14 A. Well, I mean, from what they were  
15 explaining to me and after meeting with Saffron, I  
16 thought that he had a pretty big liability issue.

17 Q. Why would you think that?

18 A. Because, as I understood it, he was  
19 soliciting clients that were giving him Bitcoin that  
20 he was trading and guaranteeing or -- in fact, he  
21 was guaranteeing a return.

22 Q. And if I can break that response down, so  
23 at the time you had this discussion in or about May  
24 of 2018, Mr. Saffron was not yet a client of  
25 yourself or your firm, correct?

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1 A. In that first meeting, he was not a  
2 client.

3 Q. Okay. And at the time you had your  
4 initial meeting and discussion with Mr. Saffron at  
5 your office in -- is it Henderson, Nevada?

6 A. Yes.

7 Q. Did Mr. Saffron merely describe his  
8 business activities, or did he show you documents?

9 A. He just described it. There wasn't any  
10 documents. It was really informal, and, again, it  
11 was all those other people were in the conference  
12 room.

13 Q. And in that initial meeting in May of  
14 2018 at your law office in Henderson, Nevada, did  
15 Mr. Saffron indicate to you that he had been  
16 soliciting customers in the past, prior to that  
17 meeting?

18 A. I don't think he said it that way, but,  
19 you know, they -- he clearly indicated that there  
20 was a website, and I think they showed me the  
21 website.

22 It had different programs. You could,  
23 you know, sign up for a program that was like a  
24 30-day program that would double your money, or 45  
25 days, you would get -- you know, put in 10 coin and

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1 get 30 coin back within a certain time period.

2 And I'm just giving you examples from --  
3 roughly from memory. I don't know exactly what the  
4 plans were, but my discussion -- or I take that  
5 back.

6 My thought was that that would create a  
7 bunch of liability for Mr. Baraglia and Mr. Johnson  
8 if they brought clients to David Saffron and had  
9 them invest through his website.

10 Q. Did Mr. Saffron indicate to you at that  
11 initial meeting that Mr. Johnson or Mr. Baraglia  
12 would receive a referral fee for any customers they  
13 brought to Mr. Saffron to trade Bitcoin on their  
14 behalf?

15 A. Yeah. There was a referral fee payable  
16 of 20 percent, I believe.

17 Q. And just so I understand that, when you  
18 say "20 percent," it would be a referral fee of 20  
19 percent of any amount, no matter the amount, that  
20 they brought in to Mr. Saffron to trade, correct?

21 A. I believe so, yeah.

22 Q. So if they brought in a customer or  
23 client who traded 10 Bitcoin, Mr. Johnson and/or  
24 Mr. Baraglia would receive 2 Bitcoin as their 20  
25 percent referral fee, correct?



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1 A. Yeah. However, I get the sense from just  
2 recalling that meeting and from other discussions I  
3 had with Brian and Justin that they actually maybe  
4 would not get the 20 percent, but it would be held  
5 by Mr. Saffron and rolled over.

6 So they would have an account with  
7 Saffron, too, and so if they brought in 10 Bitcoin  
8 from a customer and got 2 Bitcoin as a commission,  
9 the 2 Bitcoin commission or referral fee, or  
10 whatever it was, would go into their account with  
11 Saffron.

12 Q. Was Mr. Saffron creating accounts for  
13 clients, based upon your initial meeting?

14 Was that your understanding of what he  
15 was doing?

16 A. I mean, I don't know how to answer that  
17 because I don't know exactly what he was doing. I  
18 just -- based on that initial meeting, I understood  
19 that people would go to the website and sign up.

20 Q. The Omicron Trust website?

21 A. Correct.

22 And that if Justin or Brian had referred  
23 them and advised David as such, that they would get  
24 a commission or some finder's fee.

25 Q. And I guess I'm being a little thick.

1 States; is that correct?

2 A. I don't know. I don't know how that went  
3 down. I wasn't privy.

4 Q. Okay. You would expect that to be the  
5 case, given that they are residents of the United  
6 States; is that correct?

7 A. Yeah. The part that I was not privy to  
8 was how it went down in terms of solicitation. Did  
9 Saffron reach out to them? Did they reach out to  
10 Saffron?

11 Because you have to understand -- and I  
12 think you guys do since you're in the business of  
13 regulating Bitcoin -- it's a really small community  
14 of people.

15 It seems like everybody knows everybody  
16 else, and I think that's maybe how they were  
17 connected with Saffron.

18 MR. MALAS: Do you recall when,  
19 approximately, Mr. Johnson and Mr. Baraglia met  
20 Mr. Saffron initially?

21 THE WITNESS: I don't know, but, as I  
22 said, my connection with the whole business would  
23 have occurred in May, so I would guess it would have  
24 been before then.

25 MR. MALAS: Do you think it was six

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1 Were Mr. Johnson and/or Mr. Baraglia  
2 clients of Mr. Saffron as of this initial meeting at  
3 your law office in May of 2018?

4 A. I mean, they could have been. I don't  
5 know for sure. I don't recall.

6 Q. At any time, were they clients of  
7 Mr. Saffron?

8 A. Yes.

9 Q. Okay. How do you know that?

10 A. Well, my clients advised me.

11 Q. Okay. At some point in time, Mr. Johnson  
12 and Mr. Baraglia advised you that they were clients  
13 of Mr. Saffron?

14 A. Correct.

15 Q. And they had provided Mr. Saffron Bitcoin  
16 to trade, correct?

17 A. Yes.

18 Q. And Mr. Johnson is a US citizen; is that  
19 correct?

20 A. Yes.

21 Q. And Mr. Baraglia is a US citizen; is that  
22 correct?

23 A. Correct.

24 Q. And they were solicited by Mr. Saffron  
25 while they were located somewhere in the United

1 months prior to that? More than six months?

2 THE WITNESS: I don't know, honestly.

3 BY MR. MULREANY:

4 Q. How long has Mr. Johnson been your  
5 client?

6 A. Since maybe April or May of 2018. They  
7 came to me first, and then I know that -- I'm pretty  
8 sure that I met Saffron sometime in May, so --

9 Q. Okay. And Mr. Baraglia, he's also been a  
10 client of yours since April or May of 2018; is that  
11 correct?

12 A. Yeah. They hired me to set up a company  
13 called Meta-Tech.

14 MR. MULREANY: Okay. And that's  
15 M-e-t-a-T-e-c-h.

16 BY MR. MULREANY:

17 Q. What -- based upon the initial meeting  
18 you had with Mr. Saffron before he was your client  
19 in May of 2018, what was your understanding of how  
20 he would trade Bitcoin on behalf of his clients?

21 A. Through these bots that he created, these  
22 algorithms.

23 Q. Okay. So the algorithms would  
24 mechanically place trades.

25 Where were the trades placed?



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1 Q. Yes, sir.

2 A. I can --

3 Q. Okay.

4 A. -- but I do want to explain, because I  
5 think we're going way far afield -- and you need to  
6 understand -- that this potential to set up this  
7 fund and work with Saffron never came to fruition.

8 Although the fund was set up, it was set  
9 up for Justin, and David was no longer -- has not  
10 been a part of that since probably two weeks after  
11 we signed this May 18th agreement.

12 Q. Why is that?

13 A. Because Justin and Brian didn't feel  
14 comfortable doing business with David because he had  
15 made promises to them, I think, about a return on  
16 coin they invested with him, and it didn't come to  
17 fruition.

18 So they lost faith in him, and then they  
19 actually bought -- they paid him back the legal  
20 services fee that he paid to my law firm, and my law  
21 firm went forward and created the fund without  
22 Saffron involved.

23 So he's not an officer or director.  
24 There's no contracts with Saffron. He has nothing  
25 to do with that fund, Meta Proprietary Fund.

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1 Q. Okay. When you say "coin," you're  
2 referring to Bitcoin?

3 A. Correct.

4 Q. And when you say "the retainer," that's  
5 the \$100,000 retainer fee?

6 A. Correct.

7 Q. How did Mr. Saffron initially pay that  
8 \$100,000 retainer fee to your firm?

9 A. I think it was wired to our trust account  
10 in cash.

11 Q. Could you provide your attorney with the  
12 wire details for that transaction, please?

13 A. I can, as long as there's no privilege  
14 issue.

15 THE WITNESS: Is there a privilege issue?  
16 We will discuss it and we'll --

17 BY MR. MULREANY:

18 Q. Yeah. To the extent that anything I'm  
19 asking you to testify about today or, more to the  
20 point, any documents that I've asked you to provide,  
21 I would ask that Mr. Marsh provide a privilege log,  
22 to the extent he feels the privilege log is  
23 appropriate, and that any documents will be withheld  
24 pursuant to the claimed privilege.

25 Is that acceptable?

1 MR. MARSH: Yeah.

2 MR. MULREANY: Thank you.

3 BY MR. MULREANY:

4 Q. Have you ever been a customer of  
5 Mr. Saffron?

6 A. Yes, I have.

7 Q. Okay. Could you describe that, please?

8 A. I think I invested with him like 1 or 1  
9 and a half Bitcoin that I had in his Omicron  
10 website, and then there's also one client that I  
11 have, a gentleman named Michael Alexander, who --  
12 Mr. Alexander met Mr. Saffron with me at a breakfast  
13 meeting, and Mr. Alexander wanted to put coin of his  
14 own with Mr. Saffron and have Mr. Saffron trade it.

15 So there's a Coinbase record of \$300,000,  
16 roughly, whatever the coin amount -- I think it was  
17 50 Bitcoin -- going into my Coinbase account from  
18 Michael Alexander, and then that went out, I  
19 believe, the next day to David Saffron.

20 Q. Okay. Let me break that down.

21 A. Yes.

22 Q. Do you recall the approximate date that  
23 you became a customer of Mr. Saffron?

24 A. (Examining documents.)

25 MR. MULREANY: For the record, Mr. Kerr

1 is referring to Exhibit 36, which is his Coinbase  
2 account transaction history.

3 THE WITNESS: So I would guess July 10th,  
4 I think.

5 BY MR. MULREANY:

6 Q. Of 2018?

7 A. Correct.

8 Q. Okay. Let's break that down before we  
9 take a short break.

10 For the record, Page 3 of 4 of Exhibit  
11 36, which has a Bates number at the bottom of  
12 SDKD-COINBASE-10003, there are three separate July  
13 10, 2018 transactions noted.

14 Could you identify which one is  
15 associated with Mr. Saffron?

16 A. On July 9, that 50 BTC that I received  
17 was the Michael Alexander money --

18 Q. Okay.

19 A. -- and July 10th, there's two  
20 transactions.

21 Q. The first one for approximately 0.2  
22 Bitcoin, the second one for approximately 49.8  
23 Bitcoin, for a total of 50 Bitcoin were sent from  
24 your Bitcoin wallet to a wallet ending in RHZp; is  
25 that correct?



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1 A. Correct.

2 Q. And to your knowledge, that's a wallet  
3 owned or controlled by David Gilbert Saffron,  
4 correct?

5 A. Correct.

6 And then the next day, 7/10, you see that  
7 I received 10 Bitcoin.

8 Q. Yes, sir.

9 A. So Saffron transferred 10 Bitcoin to me  
10 saying that that was my commission for Michael  
11 Alexander's investment. So I said, Well, all right.  
12 I'll send that back to you. So I sent him back the  
13 10, plus, it looks like, 1 coin -- maybe 1.4 coin of  
14 my own.

15 Q. Okay. And just so our record's clear,  
16 you received Bitcoin on -- referring to Exhibit 36,  
17 Page 3 of 4 ending in Bates Number 1003, in the  
18 middle of the page there's a notation on July 10,  
19 2018, which you received Bitcoin in the total amount  
20 of 10 Bitcoin; is that correct?

21 A. Right.

22 Q. And the very next day, on July 11, 2018,  
23 you sent approximately 11 Bitcoin to a wallet ending  
24 in TkAn; is that correct?

25 A. Yes, based on these records.

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1 Q. And it's your testimony that that Bitcoin  
2 wallet is owned or controlled by David Saffron?

3 A. I believe so, yes.

4 Q. So you invested the 10 Bitcoin you  
5 received from Mr. Saffron as a referral fee on July  
6 10, 2018, along with an additional 1 Bitcoin you  
7 already held, for a total of 11 Bitcoin that you  
8 sent to Mr. Saffron, correct?

9 A. Yeah. And I actually was surprised to  
10 receive the 10 Bitcoin in my own wallet because I  
11 don't think that's how he typically did it --

12 Q. Okay.

13 A. -- but I think he was trying to induce me  
14 to go out and hustle clients for him.

15 Q. Okay. Was Mr. Alexander aware that you  
16 received a referral fee from Mr. Bitcoin (sic) for  
17 Mr. Alexander's participation in Mr. Saffron's  
18 trading --

19 MR. MARSH: Counsel, you need to rephrase  
20 that. You said "Mr. Bitcoin."

21 MR. MULREANY: I'm sorry. Let me  
22 rephrase that. I apologize. Thank you, Counsel.  
23 BY MR. MULREANY:

24 Q. Was Mr. Alexander aware that you had  
25 received a referral fee from Mr. Saffron for

1 Mr. Alexander's participation in Mr. Saffron's  
2 trading program?

3 A. I don't know if he was aware that I  
4 received it, but he was aware that a referral fee  
5 would be paid because, as I indicated, I met Michael  
6 Alexander and David Saffron at a breakfast meeting  
7 either that day, July 10th, or the day before.

8 And the purpose of that meeting was for  
9 me to have Michael, who Michael Alexander's a  
10 longtime client of mine, for 20-plus years, who's  
11 involved in this industry.

12 He knows a lot about it. I invited him  
13 to have breakfast with Saffron so he could vet him  
14 for me, see whether or not he thought he was real  
15 based on the way he talked and explained about the  
16 coin and all of this.

17 And Saffron explained his program and  
18 that he paid referral fees to -- and Michael was  
19 impressed enough to put 300 grand with him, so --

20 Q. Okay.

21 A. He was reasonably impressed. So that was  
22 discussed. I don't know if I told Michael I  
23 received 10 into my Bitcoin account, but he knew  
24 that there would have been a commission paid.

25 Q. Okay. You were a client of Mr. Saffron's

1 on June 15, 2018, correct?

2 A. June 15? I don't think so. I wouldn't  
3 characterize it that way.

4 Q. We will get into it in detail based upon  
5 your June 15, 2018 correspondence that's been marked  
6 as Exhibit 4 that we have yet to go over.

7 But am I correct generally in  
8 understanding that on June -- on or about June 15 or  
9 possibly before June 15, 2018, as part of a test you  
10 conducted of Mr. Saffron's trading program, you sent  
11 Mr. Saffron 0.2 Bitcoin and he purportedly executed  
12 trades on that 0.2 Bitcoin and, later that same day,  
13 deposited 0.4 Bitcoin into your Coinbase account,  
14 correct?

15 A. Yes.

16 Q. Okay. You never returned the 0.2 Bitcoin  
17 you received in excess of your initial 0.2  
18 Bitcoin --

19 A. No.

20 Q. -- deposit to Mr. Saffron, correct?

21 A. That's correct.

22 Q. Okay. So am I correct in understanding,  
23 therefore, that you -- your customer, Mr. Saffron,  
24 on June 15 -- on or about June 15, 2018? (sic)

25 A. I don't think that's a correct



<p style="text-align: right;">Page 113</p> <p>1 BY MR. MULREANY:</p> <p>2 Q. Okay. Do you know why it's called</p> <p>3 "Vensoft Irrevocable Trust"?</p> <p>4 A. I don't.</p> <p>5 Q. Okay. I wanted to circle back around to</p> <p>6 some of your prior testimony prior to the lunch</p> <p>7 break.</p> <p>8 You indicated that Mr. Johnson and</p> <p>9 Mr. Baraglia, who are -- who have been clients of</p> <p>10 yours, were also individuals who were clients of</p> <p>11 Mr. Saffron; is that correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And do you know the total amount</p> <p>14 of Bitcoin that they transferred to Mr. Saffron's</p> <p>15 ownership and control as part of his solicitation</p> <p>16 for binary option trading?</p> <p>17 A. No. It would have been before I</p> <p>18 represented any of them.</p> <p>19 Q. Okay. Did they ever indicate to you that</p> <p>20 Mr. Saffron paid them the promised returns -- that</p> <p>21 being 300 percent return -- in three weeks?</p> <p>22 A. No.</p> <p>23 Q. Okay. Did they ever indicate to you that</p> <p>24 he had failed to provide them with the promised</p> <p>25 returns?</p>	<p style="text-align: right;">Page 115</p> <p>1 test this.</p> <p>2 Q. Well, what I'm trying to get is,</p> <p>3 mechanically, what did you do? You're sitting there</p> <p>4 with Mr. Saffron. You got a website open.</p> <p>5 Then what?</p> <p>6 A. Actually, I think I handed him my phone</p> <p>7 with my Coinbase account open, and he did the</p> <p>8 transfer.</p> <p>9 Q. Mr. Saffron did?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Is that a "yes"?</p> <p>12 A. Yes.</p> <p>13 Q. And did you hand Mr. Saffron your phone</p> <p>14 and he effected the transfer?</p> <p>15 A. Correct.</p> <p>16 Q. Do you know mechanically what he was</p> <p>17 doing or did he describe to you what he was doing?</p> <p>18 A. I assumed that he was transferring it to</p> <p>19 a wallet that was under his control.</p> <p>20 Q. Are you aware that Mr. Saffron's Coinbase</p> <p>21 account shows zero transaction history?</p> <p>22 A. Well, I don't have any knowledge about</p> <p>23 any of that. I don't know what it would show. I</p> <p>24 don't know if that's his only account.</p> <p>25 Q. When you transferred 0.2 Bitcoin to a</p>
<p style="text-align: right;">Page 114</p> <p>1 A. I think they indicated partial payment.</p> <p>2 Q. Okay. Were they supposed to -- "they"</p> <p>3 being Mr. Johnson and Mr. Baraglia.</p> <p>4 Were they ever supposed to have received</p> <p>5 referral fees from Mr. Saffron for referring other</p> <p>6 clients to Mr. Saffron?</p> <p>7 A. I'm sure, in that initial meeting in my</p> <p>8 office when I met Saffron for the first time, there</p> <p>9 was a discussion about that.</p> <p>10 Q. That being that he owed them referral</p> <p>11 fees?</p> <p>12 A. Not that he owed them, but that -- to the</p> <p>13 extent that somebody brought an investor or another</p> <p>14 person into the Omicron website, that they would get</p> <p>15 a referral fee.</p> <p>16 Q. Okay. When you decided to invest in the</p> <p>17 Omicron Trust, can you tell me how you did it?</p> <p>18 Did you visit the Web page?</p> <p>19 A. I think I was actually sitting in a hotel</p> <p>20 room with Saffron, and I had some -- I had like 1</p> <p>21 and a half Bitcoin of my own coin that I had paid US</p> <p>22 dollars for back when I opened that Coinbase account</p> <p>23 and I --</p> <p>24 Q. Okay.</p> <p>25 A. -- for me, it was just like, Hey, let's</p>	<p style="text-align: right;">Page 116</p> <p>1 wallet controlled by Mr. Saffron on June 15 of 2018,</p> <p>2 did -- were you aware of how that wallet was held or</p> <p>3 where it was held?</p> <p>4 A. I -- all I know is I assumed it was under</p> <p>5 his control, David Saffron's control.</p> <p>6 Q. Okay. But you didn't know if it was a</p> <p>7 wallet?</p> <p>8 A. I don't know if it was Coinbase,</p> <p>9 whatever -- whatever wallet. There are a number of</p> <p>10 them.</p> <p>11 Q. Okay. Can you describe the difference</p> <p>12 between a hot wallet and a cold wallet?</p> <p>13 A. A hot wallet would be in an online</p> <p>14 application, like Coinbase, where you could see it</p> <p>15 and immediately effectuate a transfer.</p> <p>16 A cold wallet would be where you've got</p> <p>17 Bitcoin and I guess that has a unique address or a</p> <p>18 unique hash or something like that, and it has a key</p> <p>19 for it.</p> <p>20 And you can transfer that to a USB, and</p> <p>21 it's cold meaning it's not online, so that it can't</p> <p>22 be hacked or -- I mean, you can transport it with a</p> <p>23 USB stick.</p> <p>24 Q. Are you aware if Mr. Saffron holds any</p> <p>25 cold wallets?</p>



<p style="text-align: right;">Page 121</p> <p>1 was?</p> <p>2 A. Well, I think there was a lawsuit filed,</p> <p>3 which I think came down around the same time as that</p> <p>4 telephone call to me, and I think he got my phone</p> <p>5 number from -- because it came on my cell phone.</p> <p>6 I think he got it from Michael Alexander</p> <p>7 because Caramanis and Alexander know each other and</p> <p>8 are friends.</p> <p>9 Q. Are you aware of whether Mr. Alexander</p> <p>10 referred any other clients to Mr. Saffron?</p> <p>11 A. I'm pretty sure he did not.</p> <p>12 Q. Okay. Did he -- do you know if</p> <p>13 Mr. Alexander received the return he was promised</p> <p>14 from Mr. Saffron?</p> <p>15 A. He did not; however, I do know he's still</p> <p>16 investing with David, so I'm not sure what their</p> <p>17 relationship is now.</p> <p>18 Q. Okay. And can you explain how it is that</p> <p>19 Mr. Alexander is continuing to invest after not</p> <p>20 receiving the promised returns?</p> <p>21 A. I think his sense is that he's keeping</p> <p>22 the lines of communication open so that he can</p> <p>23 potentially get -- recover that 15 coin.</p> <p>24 Q. Okay.</p> <p>25 MR. MALAS: Do you know how much Bitcoin</p>	<p style="text-align: right;">Page 123</p> <p>1 Q. Mr. Saffron?</p> <p>2 A. Correct.</p> <p>3 MR. MALAS: You mentioned Gemini.</p> <p>4 And what was the other entity?</p> <p>5 THE WITNESS: KuCoin.</p> <p>6 MR. MALAS: Can you spell that?</p> <p>7 THE WITNESS: K-u-C-o-i-n. It's another</p> <p>8 exchange, I think, or -- yeah, it must be an</p> <p>9 exchange.</p> <p>10 MR. MALAS: Do you know if they're US</p> <p>11 based or --</p> <p>12 THE WITNESS: They're in Singapore.</p> <p>13 MR. MALAS: Okay.</p> <p>14 BY MR. MULREANY:</p> <p>15 Q. Do you know where Mr. Swan is located?</p> <p>16 A. I think he's in Texas. I don't think he</p> <p>17 works for him anymore. I think he quit.</p> <p>18 Q. Do you know why he quit?</p> <p>19 A. I think because he wasn't paying in the</p> <p>20 fall because of the coin being frozen, and I think</p> <p>21 Jimmy Swan was kind of the face of some of the</p> <p>22 investment people, and so I could tell from what he</p> <p>23 -- he talked to me one time about it, and I could</p> <p>24 tell he was stressed.</p> <p>25 Q. Let's -- we're going to show you a video</p>
<p style="text-align: right;">Page 122</p> <p>1 Mr. Alexander has invested since his initial</p> <p>2 investment of 50 Bitcoin?</p> <p>3 THE WITNESS: I don't. I don't think</p> <p>4 it's a great deal. I would guess it's probably less</p> <p>5 than 5 coin.</p> <p>6 MR. MALAS: Do you know when he would</p> <p>7 have invested that approximately 5 Bitcoin?</p> <p>8 THE WITNESS: Probably in the last 90</p> <p>9 days, because I believe that all of Saffron's</p> <p>10 accounts were frozen from like September until</p> <p>11 January, Gemini and KuCoin were all frozen.</p> <p>12 BY MR. MULREANY:</p> <p>13 Q. Do you know why they were frozen?</p> <p>14 A. As I understand it from what was put on</p> <p>15 the website and from talking with that Jimmy Swan</p> <p>16 guy, it was that the KuCoin and Gemini needed KYC on</p> <p>17 every transaction that had ever been done in those</p> <p>18 -- in David Saffron's accounts, and so they weren't</p> <p>19 releasing coin until they got KYC.</p> <p>20 Q. Do you know if they ever received the KYC</p> <p>21 data?</p> <p>22 A. I don't know. I never was retained to be</p> <p>23 involved in that and never was involved in it. I</p> <p>24 asked him if he wanted me to do work on those</p> <p>25 matters to try and release the coin, and he said no.</p>	<p style="text-align: right;">Page 124</p> <p>1 at this point in time.</p> <p>2 A. Okay.</p> <p>3 Q. The court reporter's not going to</p> <p>4 transcribe the video because it's too difficult,</p> <p>5 so --</p> <p>6 MR. MULREANY: Why don't we go off the</p> <p>7 record at 1:00.</p> <p>8 (Video playing.)</p> <p>9 (Discussion off the record.)</p> <p>10</p> <p>11 MR. MULREANY: Okay. Back on the record</p> <p>12 at 1:01.</p> <p>13 And right now, Mr. Kerr, we're going to</p> <p>14 show you a video that's approximately a minute long,</p> <p>15 and we're going to go off the record while the</p> <p>16 video's playing and then we will go back on when it</p> <p>17 terminates.</p> <p>18 (Video playing.)</p> <p>19</p> <p>20 MR. MULREANY: Back on the record at</p> <p>21 1:03, and, for the record, that video is identified</p> <p>22 as Exhibit 28.</p> <p>23 BY MR. MULREANY:</p> <p>24 Q. Mr. Kerr, have you ever seen that video</p> <p>25 before?</p>



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1 Q. And what was the total amount of their --  
 2 A. No idea.  
 3 Q. Okay. Do you know the business purpose  
 4 of Meta-Tech Consultants, LLC, when it was formed?  
 5 A. I'm not 100 percent sure what the  
 6 business purpose was.  
 7 Q. What was its main business?  
 8 A. I think they were going to do  
 9 cryptocurrency-related business; whether it was  
 10 consulting or whatever, I'm not sure of the exact  
 11 nature.  
 12 Q. Did -- to your knowledge, was -- has  
 13 Justin Baraglia ever registered with the CFTC in any  
 14 capacity?  
 15 A. No.  
 16 Q. To your knowledge, has Meta-Tech  
 17 Consultants, LLC, ever registered with the  
 18 Commission in any capacity?  
 19 A. No.  
 20 Q. Okay. Who -- of the two individuals you  
 21 mentioned, Mr. Baraglia and Mr. Johnson, who was the  
 22 managing member, or were they co-managing members?  
 23 A. I think they were co-managing members.  
 24 Q. All right. You are the resident agent  
 25 for Meta-Tech Consultants, LLC?

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1 A. Currently. And also, currently, I have a  
 2 member interest in that company myself.  
 3 Q. Okay. Did you pay anything for that  
 4 membership?  
 5 A. Maybe consideration for services  
 6 rendered.  
 7 Q. So it was a substitution for a legal fee?  
 8 A. I think so. And for potential future  
 9 services, probably more than anything.  
 10 Q. Okay. Meta-Tech Consultants uses your  
 11 Henderson, Nevada, business address as its address,  
 12 correct?  
 13 A. It does, yeah.  
 14 Q. Okay. Do you ever receive any mail for  
 15 Meta-Tech Consultants at your law office?  
 16 A. No. And as far as I understand, it's not  
 17 actively doing business.  
 18 Q. When Meta-Tech Consultants paid you for  
 19 legal services, how did they pay?  
 20 A. I think they paid by Bitcoin.  
 21 Q. And was that a deposit made into your --  
 22 A. Into that Coinbase account.  
 23 Q. Coinbase account? Okay.  
 24 Could you identify that transaction  
 25 referring to Exhibit 36?

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1 A. (Examining documents.)  
 2 MR. MULREANY: For the record, the  
 3 witness is reviewing Exhibit 36.  
 4 THE WITNESS: You know, I'm not 100  
 5 percent sure, but it would have been one of these  
 6 early May transactions. There's a couple. I'm just  
 7 doing it trying to base it on what I did.  
 8 This one here, I'm fairly sure is theirs.  
 9 This is May 9th, 2018, for 1200 US dollars, 0.128  
 10 Bitcoin, because they had hired me to do the  
 11 company, and that's typically what I charge, is 1200  
 12 bucks.  
 13 BY MR. MULREANY:  
 14 Q. Okay. When you drafted this opinion  
 15 letter dated June 15, 2018, marked as Exhibit 31,  
 16 why did you draft that?  
 17 A. Justin and Brian wanted a third party to  
 18 go in and see and talk to Saffron about the trading  
 19 platform and to give them comfort in what he was  
 20 doing.  
 21 Q. But you weren't expressing any legal  
 22 opinions in this June 15, 2018 letter, correct?  
 23 A. Well, let me read it.  
 24 Yeah. I don't think they're strictly  
 25 legal opinions. I think they're fact opinions.

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1 Q. Okay. Prior to drafting the June 15,  
 2 2018 opinion letter, can you tell me what your  
 3 assigned tasks were?  
 4 A. I'm not sure I understand your question.  
 5 Q. Did Mr. Baraglia and/or Mr. Johnson sit  
 6 you down and say, We want you to look at this, this,  
 7 and this, or was it more kind of a general, Talk to  
 8 Saffron and see what he's all about?  
 9 A. Yeah, it was general. I don't think  
 10 they -- I think they were relying on what he had  
 11 said to them. I don't think he had shown them  
 12 anything except maybe some historical trades and  
 13 maybe the website at that point.  
 14 Q. Did you bill them for this letter,  
 15 Mr. Baraglia and Mr. Johnson?  
 16 A. I'm assuming I would have because I  
 17 probably spent a couple hours actually physically at  
 18 Saffron's hotel room looking at the computer.  
 19 Q. And that was here in Las Vegas, Nevada?  
 20 A. Yeah.  
 21 Q. Did you bill Mr. Saffron for the creation  
 22 of this letter?  
 23 A. Probably.  
 24 Q. Is there any way you could check to  
 25 determine if you, in fact, did bill any of those



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1 three individuals or part or all of them?

2 A. Yeah. I mean, I can go back and look at  
3 the billing and time records. I keep  
4 contemporaneous time records.

5 Q. If you could do that and provide those to  
6 your counsel, just so we can have an understanding  
7 of if, when, and who was billed for this work.

8 A. Okay.

9 Q. Who was in charge of the day-to-day  
10 operations of Meta-Tech Consultants in June of 2018?

11 A. It would have been Justin and/or Brian,  
12 but I don't know that they had any day-to-day  
13 operations at that point. It was -- we were still  
14 in the process of trying to create the fund, and  
15 that took months to do.

16 Q. Have they ever had any employees?

17 A. No.

18 Q. Did they take this -- show any income  
19 that may -- or losses that may have been generated  
20 by Meta-Tech through their personal federal income  
21 tax returns?

22 A. I don't know that they have returns due  
23 for 2018, so I have no way of knowing that, anyway.

24 Q. To your knowledge, has Meta-Tech  
25 Consultants, LLC, filed a federal tax return for

1 MR. MALAS: Mr. Kerr, just a couple

2 follow-up questions on Exhibit 31, which is the June  
3 15th, 2008 letter addressed to Meta-Tech.

4 THE WITNESS: Right.

5 MR. MALAS: The first paragraph, the last  
6 sentence reads, In such capacity, we have reviewed  
7 certain documents, reports, and computer programs  
8 and made general investigations with respect to the  
9 following, and then lists five separate items.

10 Then the paragraph underneath that reads,  
11 The information reviewed above was conducted in the  
12 presence of consultant at consultant's hotel  
13 accommodation, and goes on from there.

14 First, the consultant here is David  
15 Saffron; is that correct?

16 THE WITNESS: Correct.

17 MR. MALAS: Okay. And it mentions, in  
18 these five items, that item one, there was a review  
19 of trading history and client spreadsheets for  
20 several separate clients consultant.

21 Item two, review of demo trading history  
22 report dated June 15, 2018, in four-hour time block  
23 commencing on or about 2 a.m. to 6 a.m.

24 Item three, review trading program  
25 BTC/flat -- that's f-i-a-t -- currency trading

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1 calendar year 2018?

2 A. I'm sure it has not because it had no  
3 income in 2018.

4 Q. Okay. Is there a hierarchy to Meta-Tech  
5 Consultants?

6 Was Mr. Baraglia in charge more than  
7 Mr. Johnson or vice versa, or how did that work?

8 A. I don't know that there's a hierarchy. I  
9 think it was two young guys that wanted to get

10 involved in the crypto space and were going to use  
11 that vehicle to do so.

12 Q. What do these two fellows do for a  
13 living?

14 How do they make their money?

15 A. I think previously -- I think they both  
16 work, but I think previously, Justin -- I thought he  
17 was in the military, and Brian Johnson had worked  
18 for Morgan Stanley in their commercial loans  
19 division, I think.

20 Q. Okay. Did you ever represent them  
21 individually separate and apart from Meta-Tech?

22 Did you do a -- buy a house for them?  
23 Help them buy a house?

24 A. No. Nothing like that.

25 Q. Okay.

1 pairs. Item four, engaged in 26-minute test trade  
2 of 0.2 BTC, and item five, review Omicron Trust Web  
3 platform test transaction, discussion with  
4 consultant.

5 First question is, do you recall which  
6 hotel this was conducted at here in Las Vegas?

7 THE WITNESS: I'm pretty sure it was the  
8 MGM.

9 MR. MALAS: Okay. And just to walk  
10 through the mechanics, so I understand, so you're  
11 sitting in the hotel room with Mr. Saffron, and he  
12 has a laptop of his own; is that correct?

13 THE WITNESS: Right. Sitting on the  
14 sofa, David sitting next to me, coffee table with a  
15 laptop on it.

16 MR. MALAS: Okay. And it mentions a  
17 couple spreadsheets, reports.

18 Are these items that Mr. Saffron pulled  
19 up on the laptop while you're sitting there with  
20 him?

21 THE WITNESS: Correct.

22 MR. MALAS: Did he provide you any copies  
23 of these spreadsheets or reports?

24 THE WITNESS: No.

25 MR. MALAS: Okay.



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1 BY MR. MULREANY:

2 Q. Do you have a way to currently access  
3 those spreadsheets or reports?

4 A. No.

5 MR. MALAS: Do you know if these  
6 spreadsheets or reports that Mr. Saffron showed you  
7 were within a particular website; for example, the  
8 Omicron website?

9 THE WITNESS: No. I mean, the  
10 spreadsheets, as I recall, were on a desktop folder  
11 that had multiple file folders, and he flipped open  
12 a random number of them that had -- I think it had  
13 client names, amounts, trade dates, I think, and  
14 then return on investments. Like ROI was a cell or  
15 whatever in the spreadsheet.

16 MR. MALAS: Okay. And the demo trading  
17 history report, was that also a file he accessed on  
18 like a desktop folder?

19 THE WITNESS: No. That was different.  
20 That was actually -- I think he was within a trading  
21 program of some kind, and it was odd that -- I mean,  
22 it's not something I know much about.

23 But the way it showed up on the screen is  
24 that their trades were all in kind of a column on  
25 one side of the screen. It showed the trading desk,

1 THE WITNESS: I mean, it looks familiar  
2 to me, but, honestly, in my mind, I'm thinking that  
3 what they had was the actual graphic, you know, the  
4 chart that would show the up and down of the market  
5 during a period of time.

6 Then on the right-hand side of the  
7 screen, it showed the trades and the amounts. That  
8 was a scroll-through for a period of time.

9 So it -- I may have seen this during that  
10 due diligence, but what I'm thinking of when I refer  
11 to that demo trading period is something different.

12 MR. MULREANY: Let's show video one.

13 BY MR. MULREANY:

14 Q. We're going to show you, Mr. Kerr, a  
15 video marked as Exhibit 27, which is a video, and  
16 it's about 10 minutes in length.

17 MR. MULREANY: We're going to tee it up,  
18 and then we will go back on the record after the  
19 video's over.

20 Off the record at 1:45.

21 (Playing video.)

23 MR. MULREANY: Let's go back on the  
24 record at 1:52.

25 ///

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1 you know, where it showed the actual chart or  
2 whatever, you know, and then it showed like a  
3 history of trades over a time period that you could  
4 scroll through.

5 MR. MALAS: Okay. Bear with us one  
6 second here.

7 MR. MULREANY: Should be under 27.

8 MR. MALAS: Mr. Kerr, if you can turn to  
9 what's marked as Exhibit 27 in the binder, there are  
10 several screenshots taken of a video that I believe  
11 we may show you at some point here today.

12 The first screenshot of the upper  
13 left-hand corner of the screen reads, BinBot PRO.  
14 And that's B-i-n-B-o-t P-R-O. Underneath that, it  
15 has David Saffron's name.

16 And then to the right of that at the top  
17 of the screen, it says Warren Bot, and then, in  
18 parens, by David Saffron, end parens.

19 It indicates a current balance, and then  
20 it looks like what it appear to be various foreign  
21 currency pairs as well as maybe some other  
22 crypto/foreign currency pairs.

23 Does this screenshot of this BinBot PRO  
24 refresh your memory on maybe what the screen looked  
25 like in terms of this trading report he showed you?

1 BY MR. MULREANY:

2 Q. All right. So, Mr. Kerr, we have shown  
3 you a video -- a second video.

4 Do you recognize the individual doing  
5 most of the talking in that video?

6 A. Yeah. That's David Saffron.

7 Q. All right. Is that similar to what

8 Mr. Saffron showed you in -- on June 15 of 2018?

9 A. It doesn't look the same to me, to be  
10 honest with you.

11 Q. You indicated in your opinion letter at  
12 Exhibit 31 that -- the second item on Page 1 is that  
13 you reviewed a demo trading history report?

14 A. Correct.

15 Q. Can you explain what you mean by "a demo  
16 trading history report"?

17 A. Well, what -- apparently, what it was,  
18 according to Mr. Saffron -- he showed me a laptop  
19 screen that, as I indicated before, showed a chart,  
20 a graphical chart of the market.

21 And then on the right-hand side, it  
22 showed trades over a period of four hours from this  
23 block. He said he had been up in the evening -- or  
24 early in the morning the day before -- or, actually,  
25 I guess the day of our meeting -- and was showing



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1 THE WITNESS: Okay.

2 MR. MALAS: If we could go off the record  
3 at 2:57 p.m. for a minute, please.  
4 (Recess 2:57 to 3:00 p.m.)

5  
6  
7 MR. MULREANY: Back on the record at  
8 3:00.

9  
10 EXAMINATION (Continuing)

11 BY MR. MULREANY:

12 Q. Good afternoon, Mr. Kerr. If I could  
13 draw your attention to Exhibit 32, please. There's  
14 a two-page document that you were kind enough to  
15 provide us in response to our subpoena.

16 Is that a true and correct copy of the  
17 Bitcoin transaction from your Coinbase account that  
18 you referenced in your earlier testimony concerning  
19 the June 15, 2018 Bitcoin test?

20 A. Correct. That's the screenshot of the  
21 historical trade on June 15th, 2018, that occurred  
22 in MGM by Mr. Saffron on my account --

23 Q. Okay.

24 A. -- and it's the actual screenshot of the  
25 telephone app for Coinbase.

1 bottom of the second page --

2 A. Yeah. I just saw that.

3 Q. -- it indicates, Trader's legal firm is,  
4 and then it has www.sterlingkerrlaw.com.

5 A. That's my law firm's website, but I did  
6 not give Mr. Saffron authority to use it.

7 Q. Okay. Are you familiar with a gentleman  
8 by the name of Gavin, G-a-v-i-n, Dickson,  
9 D-i-c-k-s-o-n?

10 A. I don't know him.

11 Q. How about Gene, G-e-n-e, Houston like  
12 Houston, Texas?

13 A. So I've never met nor talked to either of  
14 those people, but their names are plaintiffs in a  
15 lawsuit that my law firm is handling the defense of  
16 for David Saffron and -- actually, not Saffron.  
17 Just Circle Society.

18 Q. There's a -- if you look in the middle of  
19 the first page of Exhibit 10, there's an indication  
20 of trader's wallet deposited to, and there's a 24  
21 alphanumeric wallet address provided ending in, for  
22 the record, F9QD.

23 Do you see that, sir?

24 A. I do.

25 Q. Are you familiar with that wallet

Page 202

Page 204

1 Q. If I could draw your attention, Mr. Kerr,  
2 to Exhibit 34, could you identify that e-mail,  
3 please?

4 A. This is an e-mail that I was  
5 carbon-copied on from Damien Scott to Conor Neu at  
6 Pier Asset Management regarding the things we talked  
7 about earlier where Pier was determining whether or  
8 not to buy some Bitcoin from David Saffron.

9 And Saffron was trying to sell Bitcoin so  
10 that he could fund the purchase of that residence  
11 that he was interested in in Beverly Hills.

12 Q. And that transaction never took place?

13 A. There was a contract entered into.  
14 Escrow was opened, but the earnest money was never  
15 funded, and so it was closed.

16 Q. Mr. Kerr, if I could draw your attention  
17 to Exhibit 10 in the binder in front of you, please.

18 A. Yes.

19 Q. This is a three-page -- a two-page  
20 document with a photograph of an Australian passport  
21 on the third page. It's entitled "Custom Bot" --  
22 B-o-t -- "Trade Agreement."

23 Have you ever seen this before?

24 A. No.

25 Q. If I could draw your attention to the

1 address?

2 A. I am not.

3 Q. Okay. At the bottom of the page, there's  
4 another wallet address. Once again, it's a 24-digit  
5 alphanumeric code, the last four digits of which  
6 are, rRJ8.

7 Do you see that, sir?

8 A. I do.

9 Q. Are you familiar with that particular  
10 wallet address?

11 A. I am not.

12 Q. To your knowledge, has Mr. Saffron ever  
13 advised you that he received 1,000 Bitcoins from  
14 Gavin Dickson?

15 A. He has not advised me of that.

16 Is this dated?

17 Q. I don't show a date.

18 A. It would have to be before June 20th,  
19 2018, it looks like.

20 Q. Which is when the first payment is due.

21 A. Oh, on or before June 6th, 2018, yeah.

22 Again, I hadn't even met Saffron until June like --  
23 I think it was the second week in June, almost  
24 contemporaneous to that June 15th meeting.

25 Q. Okay. Okay.



## Exhibit 16 - Materials Produced by Participant 1



Hello my name is Dee Washington, I'm writing back in reference of David Staffron and David Kagel

pertaining all documentation that I have with the relations of my investments.

I'm writing to inform you all that Rodney Burton has all documentation for this case, also Nathan Van Tuyl may still have information on David Staffron and David Kagel as well.

The only thing that I can provide is the transaction ID when I sent to bitcoins Rodney burton to give to David Staffron, and the transaction id for the bitcoin I sent to Nathan Van Tuyl to start the case against david staffron and David Kagel

At the time when I sent the 5 bitcoin jan 6 2017 it had a value of 84 thousand dollar however it decrease in value since

then, I provide the conversation messages that I had with Nathan Van Tuyl and Rodney Burton

I hope this helps Thank you.

Dee Washington





JAN 27, 2018 AT 4:12 PM

You waved at Nathan!

Hey I gave 5 BTC in this program  
to Rodney to give to David  
Stafford so what do I need to do  
from here on out

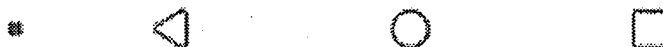
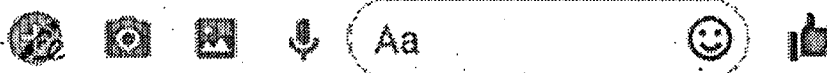
You added Nathan Van Tuyl on Messenger.

Remove

That was over 85 thousand at that  
time

You can now call each other and see information  
like Active Status and when you've read  
messages.

Hey Dee. Everyones in the same  
boat. The plan is to go after the  
1000 BTC escrow wallet David  
Saffrons attorney supposedly has.  
If they dont have it then both





Home

4:58 PM

< Home (13)

Nathan Van Tuyt >

Active 2h ago



Washingtondee1983@gmail.com

I've been working hard for everyone involved and the attorney I met with yesterday seemed optimistic about the situation since hes successfully sued Saffrons attorney multiple times and won!



So you been from State to state with this man and he has not said anything about our BTC

He has bullshit excuses every single day



Keeps pushing it back

Wow I will be looking for the email so hopefully we will get our BTC back in order

Well we are going after what was promised, not what we gave him...

So there is a chance this could be a good outcome



Aa



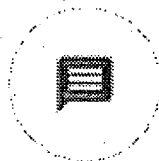




**Nathan Van Tuyl**



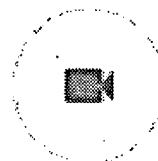
**Nathan Van Tuyl**



Message



Audio



Video

Things in Common

2 mutual friends: Tracie Jackson RN and James Mannah

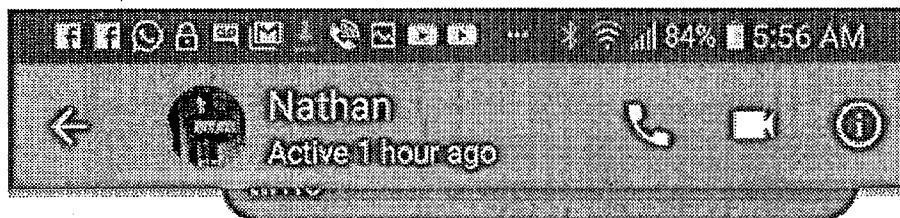
About Nathan

Director at Top View Media

Followed by 390 people







You can now call each other and see information like Active Status and when you've read messages.

Hey Dee. Everyones in the same boat. The plan is to go after the 1000 BTC escrow wallet David Saffrons attorney supposedly has. If they dont have it then both Saffron and his attorney are liable

This has been a nightmare for me as I've been following his ass around to different cities making sure he isnt bailing

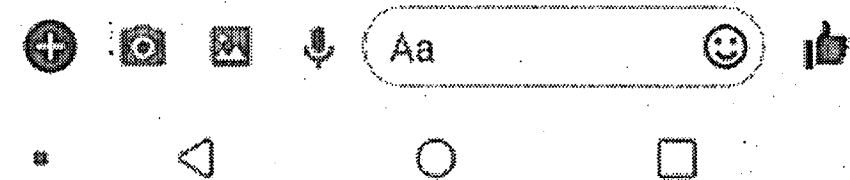
And it doesnt appear he is trying to

Ok so what I need to do to participate in us going forward to getting our funds

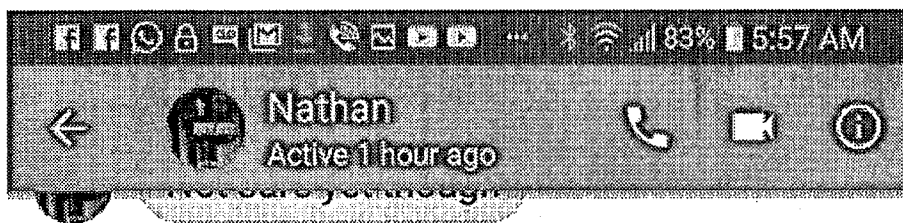
Did I send you an email?

I need your legal name, phone, email address

Wow this is crazy if Dee Washington 5402822168







I appreciate your help and yes  
1000 BTC

Well I hope so if it's in the contract  
we should be good to go



No problem. I feel really bad about  
all this and despise this man with  
every bone in my body

Yeah but your trying to get it right  
he will reap what he sow for sure  
if he doesn't come correct

Thank you again Nathan

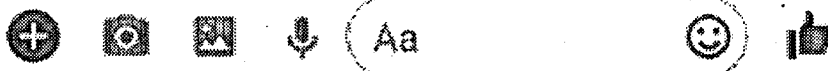
I dont understand why he let me  
film him and take photographs of  
his passport...

Thats why i was fooled. He is so  
open about everything

I have so much evidence against  
him its ridiculous actually lol



Not sure how he thought it would  
end





Home

5:09 PM



< Home (13)

Nathan Van Tuyt >  
Active 2h ago



Me either it seem very strange but  
it's a plus on our end because he  
want get away from it

Ok so I got the email so I just send in  
my legal name and my address and  
phone number

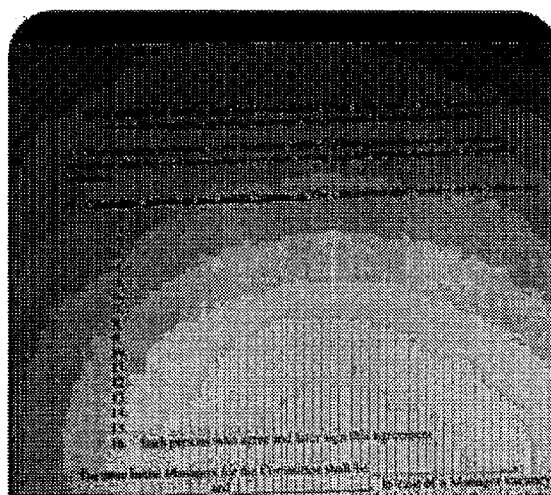
You already gave that to me. Just  
need you to look over the lawyer  
agreement and sign



Ok I sign in and email it back to you



JAN 27, 8:25 PM



Aa





Home

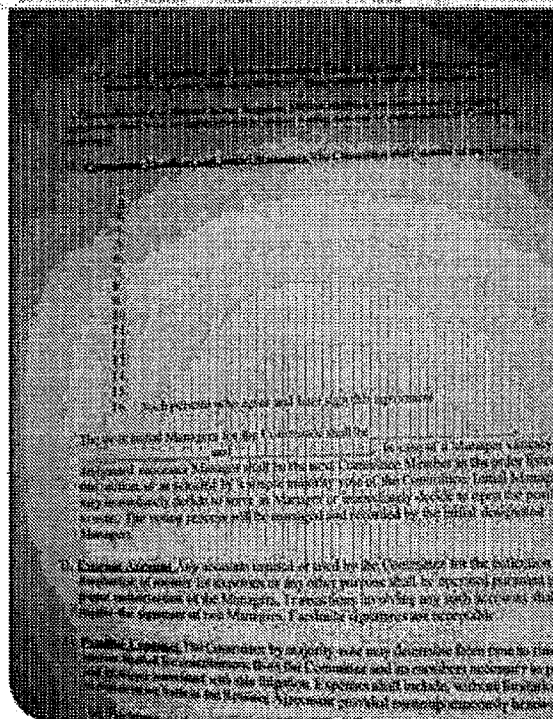
5:10 PM



&lt; Home (13)

Nathan Van Tuyl &gt;

Active 2h ago



Question do I signed this document I  
don't need any one else to sign these

We need 3 committee members

Would you like to be one?

I can be if needed but we need 2  
more



I think Rodney and Frank would be  
the best for this one

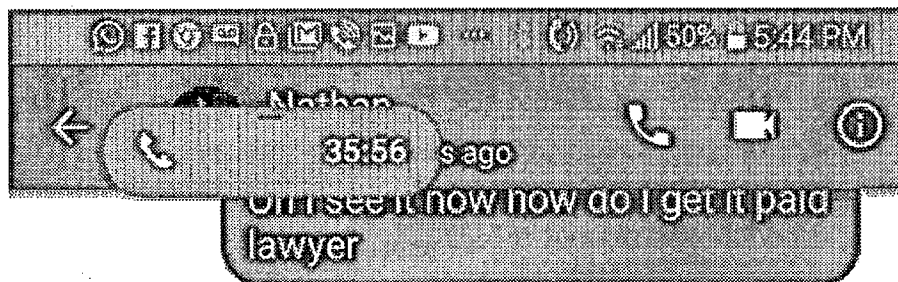
But sure if Rodney and Frank don't  
do it I will



Aa







Hey were still figuring that out

I believe I made a mistake

JAN 31, 2018 AT 1:44 AM

Ok well let me know

JAN 31, 2018 AT 5:30 PM

hey

please check out the group chat. I explain everything there

JAN 31, 2018 AT 5:47 PM

Oh

Ok

FEB 2, 2018 AT 11:48 AM

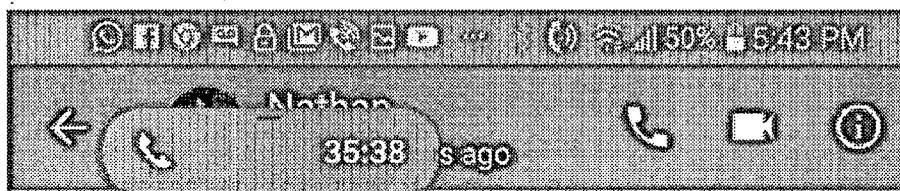
Hey did you send me \$625 yet?  
Double checking with everyone



Aa







I think we should sue for the maximum cause he played us

JAN 30, 2018 AT 11:55 PM



JAN 31, 2018 AT 12:06 AM

How much is the fee

For the lawyer

JAN 31, 2018 AT 12:20 AM

Oh I see it now how do I get it paid lawyer

Hey were still figuring that out

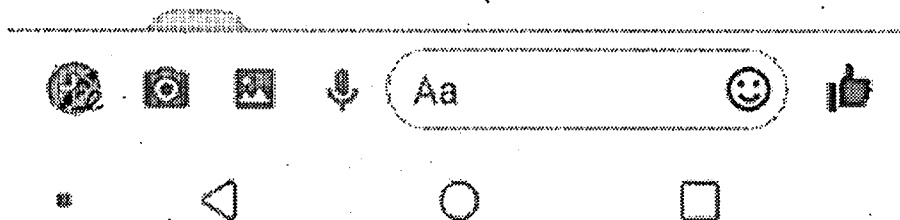


I believe I made a mistake

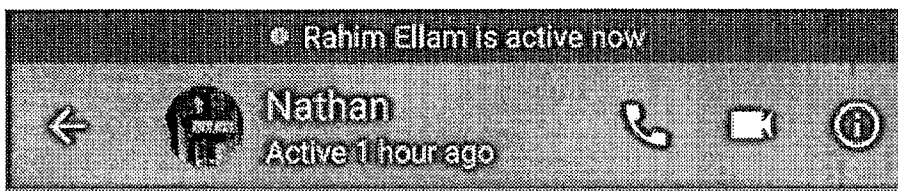
JAN 31, 2018 AT 1:44 AM

Ok well let me know

JAN 31, 2018 AT 5:30 PM







FEB 2, 2018 AT 11:48 AM



Hey did you send me \$625 yet?  
Double checking with everyone



No can you give me your wallet  
address again sorry for the delay I  
have been so busy

[REDACTED]  
[REDACTED] RbzC

No worries



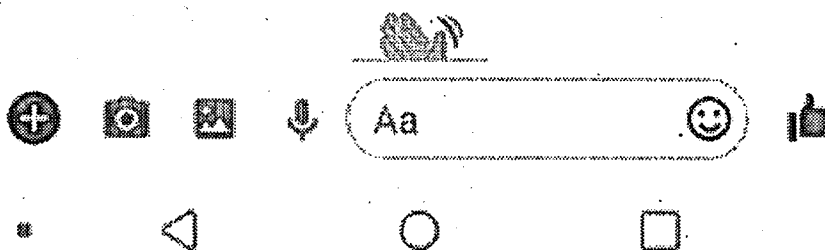
Read my email when you can. Its  
the attorneys draft letter

i just sendt the payment and i  
have read the attorney draft it  
looks good

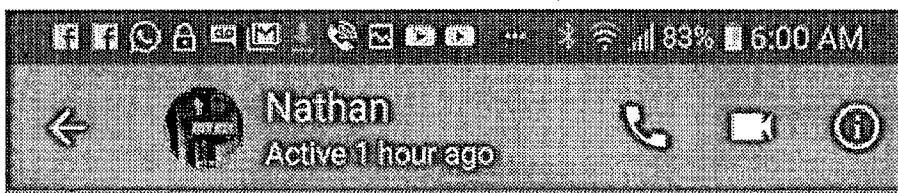
sent sorry typo errors



FEB 15, 2018 AT 2:39 PM







MAR 12, 2018 AT 7:29 PM

Ok thanks

MAR 13, 2018 AT 6:18 PM



hey be sure to sign the document today please!

Ok I will get it done asap



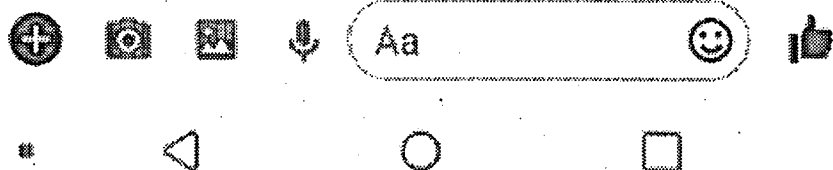
thanks. this complaint about Kagel will go a long way

You mean a long time process

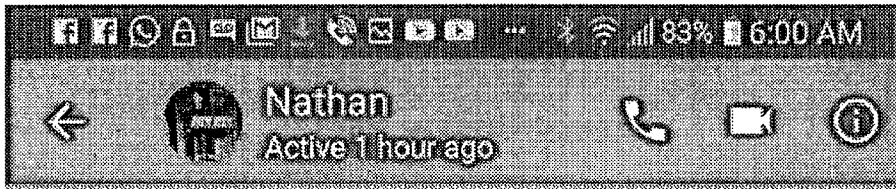


i mean we are sending complaints about Kagel so we can pursue him legally for the criminal acts hes done... This will definitely be a long process if we as a group have delays on our end

Ok I will be getting my sign documents to you as soon as I get home



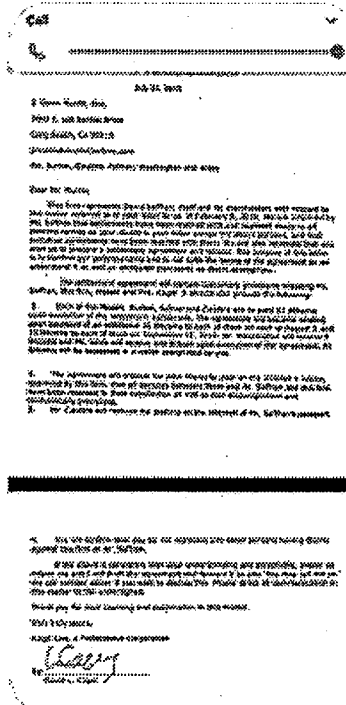




Nathan did you get your bitcoins back from David yet



Absolutely not. What have you heard? Are they still playing games?



This is the letter i got in my email from the lawyer you might want to get in contact with them i would like to get my bitcoins back too



I've heard way too many Saffron lies to believe anything they say...



Aa





Home

4:58 PM



< Home (13)

Nathan Van Tuyl  
Active 2h ago



Keeps pushing it back

Wow I will be looking for the email so hopefully we will get our BTC back in order

Well we are going after what was promised, not what we gave him...

So there is a chance this could be a good outcome



Not sure yet though

I appreciate your help and yes 1000 BTC

Well I hope so if it's in the contract we should be good to go

No problem. I feel really bad about all this and despise this man with every bone in my body



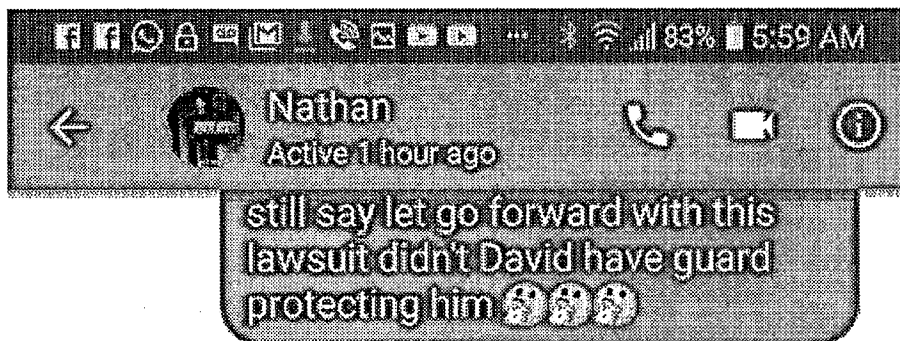
Yeah but your trying to get it right he will reap what he sow for sure if he doesn't come correct



Aa







FEB 15, 2018 AT 2:56 PM

Yup. The contract specifically states that we are protecting in case anything happens to him. He told us it protects him even if he died



He told us it protects US\*\*\*

FEB 15, 2018 AT 3:46 PM

Agreed

MAR 12, 2018 AT 6:33 PM

Hey Murrin lawfirm needs your signature for the letter they are sending to the State Bar regarding David Kagel. Please check your email. Thanks



MAR 12, 2018 AT 7:29 PM

Ok thanks



Aa





Call Nathan Van Til



July 24, 2018

J. Owen Murrin, Esq.

7045 E. Los Santos Drive

Long Beach, CA 90815

jmurrin@murrinlawfirm.com

Re: Burton, Calabro, Palmer, Washington and Wilds

Dear Mr. Murrin:

This firm represents David Saffron, itself and its shareholders with respect to the matter referred to in your letter to us of February 5, 2018. We are informed by Mr. Saffron that settlements have been reached with and payment made to all persons named as your clients in your letter except the above persons, and that tentative agreements have been reached with them. We are also informed that you wish us to prepare a settlement agreement and release. The purpose of this letter is to confirm our understanding and to set forth the terms of the agreement as we understand it as well as additional provisions we deem appropriate.

The settlement agreement will contain customary provisions releasing Mr. Saffron, this firm, myself and Mrs. Kagel. It should also provide the following:

1. Each of the Messrs. Burton, Palmer and Calabro will be paid 15 Bitcoins upon execution of the settlement agreement. The agreement will become binding upon payment of an additional 35 Bitcoins to each of them on each of August 5 and 25 Bitcoins to each of them on September 15, 2018. Mr. Washington will receive 5 Bitcoins and Mr. Wilds will receive one Bitcoin upon execution of the agreement. All Bitcoins will be deposited in a wallet designated by you.
2. The agreement will provide for your clients to post on the Internet a notice, approved by this firm, that all disputes between them and Mr. Saffron and this firm have been resolved to their satisfaction as well as non-disparagement and confidentiality provisions.
3. Mr. Calabro will remove the posting on the Internet of Mr. Saffron's passport.

4. You will confirm that you do not represent any other persons having claims against this firm or Mr. Saffron.

If the above is consistent with your understanding and acceptable, please so inform me and I will draft the agreement and forward it to you. You may call me on my cell number above if you wish to discuss this. Please direct all communication in this matter to the undersigned.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

Kagel Law, a Professional Corporation

By:

David L. Kagel



Reply

More

Reply



FEB. 2		Sent		0.06837431	
DATE		TRANSACTION ID		FEE	
Friday, Feb 2nd 2018, 12:03:08 PM		d4c3dd82e279b080b6fdada55b8eb02...		0.00043569 BTC	
TO		FROM		FEE	
YCIF...		\$391.04 USD		\$611.36 USD	



## BLOCKCHAIN

WALLET

DATA

API

ABOUT

Q BLOCK HASH TRANSACTION ETC.

CEX/ATM/WALLET

## Transaction View information about a bitcoin transaction

06c3d482c37f60b0b0d4d5f80d0024c0c1275a77e483a56189c064763ac7f6

[pin]

R02C  
80YX\$ 391.07  
\$ 31,188.83

\$ 31,578.91

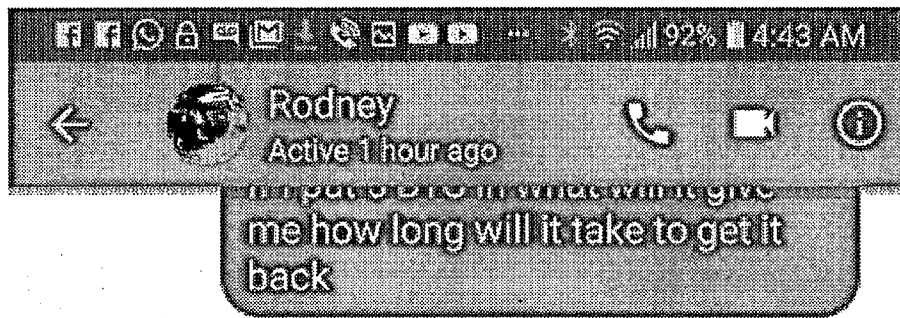
## Summary

Size	225 (bytes)
Weight	900
Received Time	2018-02-02 16:54:50
Included in Blocks	507296 ( 2018-02-02 17:03:08 + 8 minutes )
Confirmations	42838
Visualize	View Tree Chart

## Inputs and Outputs

Total Input	\$ 31,582.40
Total Output	\$ 31,578.91
Fees	\$ 2.49
Fee per byte	193.84 sat/B
Fee per weight unit	48.41 sat/WU
Estimated BTC Transacted	\$ 391.07
Scripts	Show scripts & coinbase





JAN 6, 2018 AT 3:57 AM

 I'm here

Ok cool I am getting ready to send it to you now



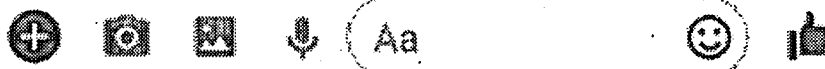
Sent



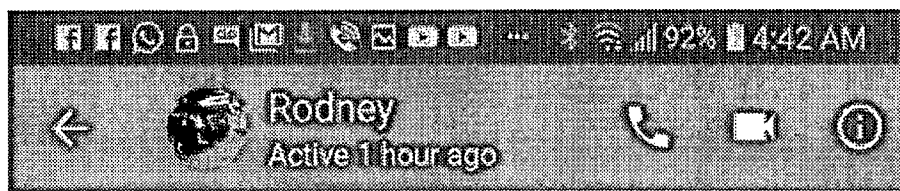
 I will be making a group in the moring

Ok great I appreciate you Rodney

 I will keep u posted







of next week



whatever you can

How much



5 to 25 btc

Ok send me wallet info

I put in 100btc

[REDACTED]  
87jT



send me full name as well and  
phone number

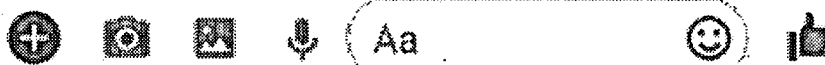


I need to know the amount that you  
send by the way so I can let them  
know so it can be tracked

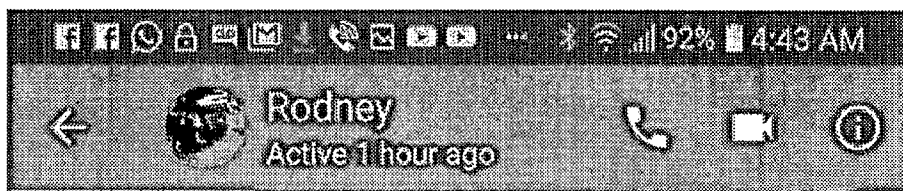
5 BTC my full name is Dee  
Washington I will send it soon as I  
get home



did you seen it yet







No I got to do it when I get home

I dropping my mom off it was my birthday so we went out



Heyyyyyy hbd to ya

JAN 6, 2018 AT 2:26 AM



dee they need this soon so keep me posted



1

JAN 6, 2018 AT 3:40 AM

Thank Rodney I am home can we still do it

Heyy

You put in a 100 BTC did you get it back

When ever you give me the go I will send it



Full name Dee Washington 540  
282 2168



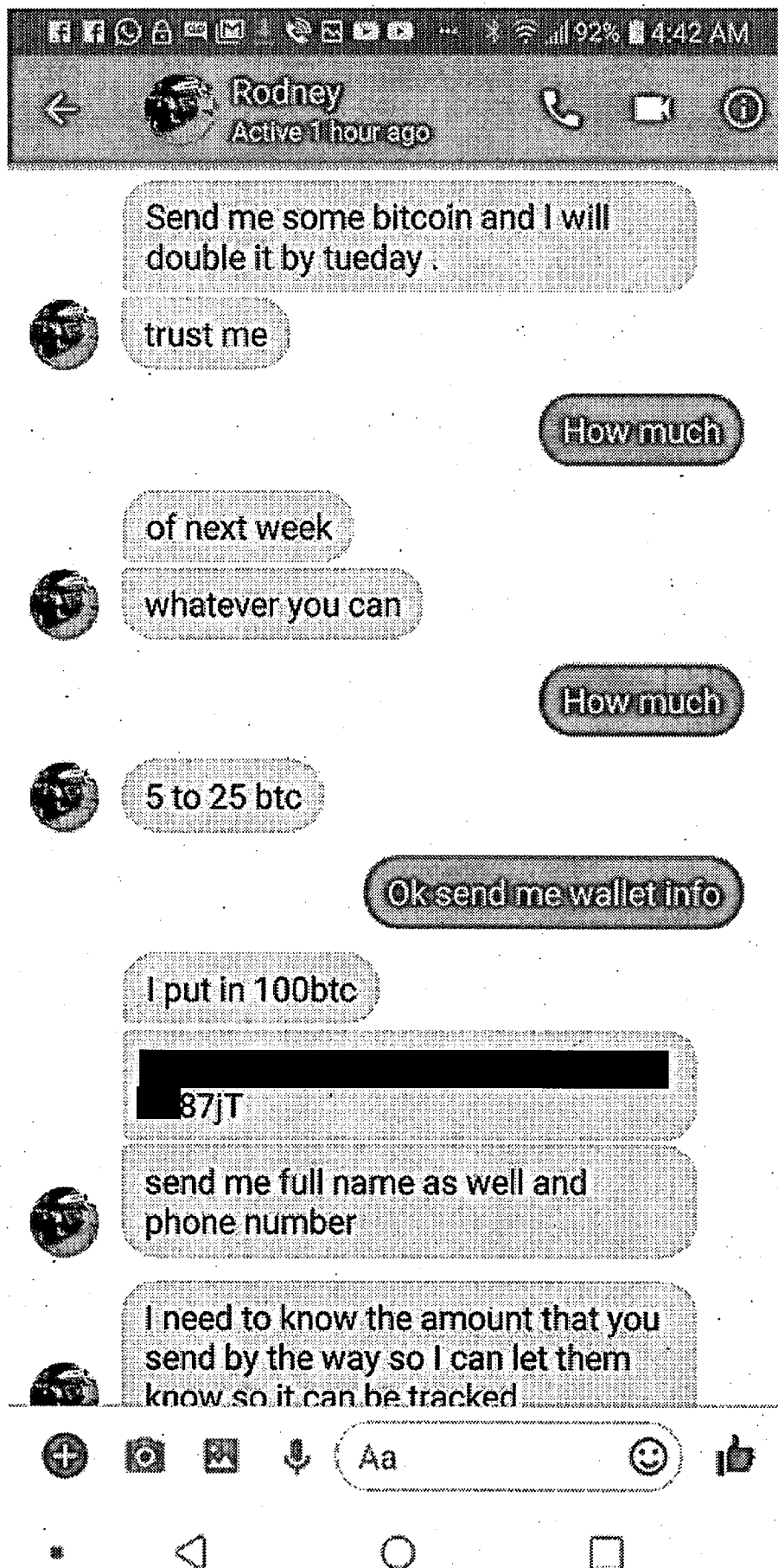
1




Aa









JAN 6		Sent		5.00
DATE			TRANSACTION ID	FEEL
Saturday, Jan 6th 2018, 4:04:31 AM			9ec15cd8a25acd457d4d080f04b456c00...	0.00427744 BTC
TO			FROM	JAN 6TH
		REF..	\$31,617.70 USD	\$0.00 USD



## BLOCKCHAIN

WALLET

DATA

API

ABOUT

Q BLOCK HASH, TRANSACTION, ETC.

GET A FREE WALLET

## Transaction View information about a bitcoin transaction

3ec13d325a457d4d904b5e60d41d0b731394e9002cd041a0f2eac9133

N/A

CPM

SSBQ

GJGA



37T

Zcash

\$31,670.45

\$9,184.10

\$36,854.55

## Summary

Size 562 (bytes)

Weight 3846

Received Time 2018-01-06 08:58:44

Included in Blocks 502513 (2018-01-06 09:04:31 + 6 minutes)

Confirmations 47228

Visualize View Tree Chart

## Inputs and Outputs

Total Input \$36,881.64

Total Output \$36,854.55

Fees \$27.09

Fee per byte 444.64 sat/B

Fee per weight unit 144.16 sat/WU

Estimated BTC Transacted \$31,670.45



## **Exhibit 17 - Materials Produced by Participant 3**



Feb 27, 2018

I Frank E Calabro Jr would like to file an official report of an investment scheme being ran by David Gilbert Saffron and his attorney David Kagel.

I personally invested 50 Bitcoin into the investment scam on Jan 6<sup>th</sup> 2018. On that date the equivalent to US dollars was \$17,161 per BTC or \$858,050.00 USD.

David Saffron through an online webinar and in person meetings promised, convinced and explained how he could multiply Bitcoin through strategic arbitrage tactics in the crypto currency markets. He promised to double my investment of Bitcoin in as fast as 3 days. He then offered total security and safety to protect my investment through his attorney David Kagel.

My first in person lunch meeting with David Saffron was in Las Vegas on January 10<sup>th</sup> 2018. This gathering included several other investors. During our discussions David Saffron called his attorney Mr. David Kagel. David's cell phone was passed around the table to each investor attending that meeting. When I spoke to attorney David Kagel and introduced myself he was very friendly & personable on the phone. Mr. Kagel collected my email addresses and immediately sent a letter that insured my Bitcoin investment was not only safe, but back by a Bitcoin wallet in his control. The letter stated that his law firm had unrestricted access. In addition, he held no less than 1,000 Bitcoin in this wallet. The letter also stated the exact instructions to follow in the event of that David Saffron was unwilling or unable to return my deposit.

The last time that I have seen David Saffron was at a party he held in his Penthouse Suite at the Cosmopolitan Hotel & Casino in Las Vegas. I arrived to that gathering at midnight and I departed around 3am on Saturday January 6<sup>th</sup> 2018.

Communication since has been through other investors pulled into Saffron's scheme. There was no organization as to how we would be paid and exactly who to contact. Also, after the in-person meeting in Vegas which I left being told by David Saffron that he could double my Bitcoin every week, the duration of time (1 week) kept changing. From my notes and through what other investors were telling me, the new time table to double my coins was once every 21 days. I was never told when that 21-day trading cycle started or ended.

My next and last communication from David Saffron was on February 26<sup>th</sup> 2018. He stated in a text message that he had received a letter from his attorney Mr. David Kagel. This letter was from my Attorney John Owen Murrin and as part of a group of investors, we were requesting that our original Bitcoin be returned. The total amount of Bitcoin collected from our group of 8 investors was 206.5 bitcoins or \$3,543,746.50 in US dollars.

David Saffron stated that he had already made arrangements with our law firm to return the funds which is a lie as I had just gotten out of an hour-long meeting with our legal team just minutes before receiving Saffron's text.

I do not know how long or how many investors have been scammed in this ongoing charade. David Saffron and his attorney David Kagel must be arrested, charged and stopped from this criminal activity immediately. They have already stolen over 3 million dollars from our small group of 8 people.

In my last correspondence with David Saffron he boasted how is he continues to travel across the country presenting his fraudulent scheme. He has ties to organized crime in Australia and has a passport issued from that country. I fear that he will flee before being brought to justice. His actions are of a conniving felon and he must be stopped immediately!

Frank Calabro Jr

Mcleansville, NC

Phone: (252) 503-2092

[frankiecalabrojr@gmail.com](mailto:frankiecalabrojr@gmail.com)





David Saffron

8 mins · 11

\*\*\*

Dear All ,

My name is Alan Saffron David's father, Today I gained access to David's account for the first time and his phone

I've been answering all messages and reaching out to many.

My son has been in a coma from January 23rd till feb 12th , doctors say he will be fully back on his feet by this Wednesday however we do not know yet as to the extent of memory loss

Many rumors such as deportation or death or him being locked up are on the internet

Some of these spread by us to protect him  
While he lays here recovering.

This is what happened

January 23rd at 11pm

David was assaulted in his home by an armed assailant he was struck in the face with a gun and forced to the ground.

At 11:30pm he was forced at gun point to read a statement on video about his trading platform being a scam, (which it is NOT)!!!

At 12pm the robber left David tied on the floor bleeding

Paramedics and cops arrived at 12:15am

By 12:25am paramedics noticed a clot on David's head (visible)!!  
They rushed him to hospital

At 4am January 24th 2018

David entered a coma

He woke up on the 12th February 2018

I have been visiting him daily

Today he stated to write

He gave me access to his accounts and I'm writing this to you all.

Doctors say he should be fully recovered by 28th February 2018

And back on phone a few days prior

Message in comments your number and I'll call you with more details

Please no rumor or negative comments this has been a very hard time for our family.

Much love

Alan Saffron





10:28

David it has been a few weeks, let's connect soon. Your Dad said you were in rough shape but now doing better. Looking forward to hearing about our results. When is the next meeting? Things are looking up.

Sorry who is this ???  
My phone blanked

The biggest producer on the planet!

Music or film



+ Type a message...







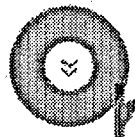
Affiliate marketing. #1 man in the world in 7 companies simotanosly

Oh yes ok  
I'm doing better  
I'm currently in Boston for meetings  
Nyc tomorrow  
Then Atlanta  
Then Texas

Your gonna have to remind me how many coins owed if any

My phone and computer where stolen

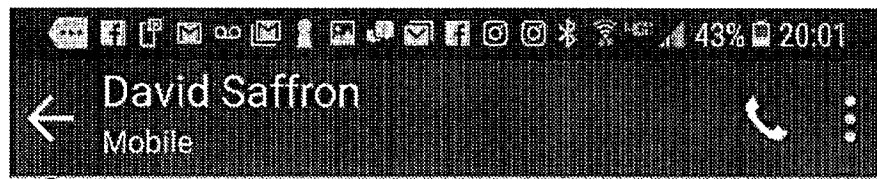
Just direct me to the account



+ |Type a message...







Just direct me to the account manager. I want to check my balance and submit a withdraw request. I am negotiating a 15 acre land deal in North Carolina. Need some funds.

has been nonresponsive to our clients' attempts to contact him. I Saffron promised to pay the investors back. Moreover, through made to Mr. Kagel seeking to return the investors' deposits; it now appears that Mr. Kagel seems to be back-pedaling on the cryptocurrency wallet.

re, please let this letter serve as our clients' ten business days of bitcoin or cryptocurrency in Mr. Saffron's Bot Investment letter is being sent to both David Saffron and David Kagel pursuant to 2018 letter.

ally, the following investors are requesting the return of the bitcoin for the time period of January 2, 2018 through January 6, 2018:

ial set of investors demanding a return of the above described in

Rodney Burton	50.0 Bitcoins
Frank E. Calabro Jr.	50.0 Bitcoins
Hitesh Junega	20.0 Bitcoins
Michael Jamison Palmer	50.0 Bitcoins
Kameron Pollock	2.5 Bitcoins
Nathan Van Tuyl	28.0 Bitcoins
Dee Washington	5.0 Bitcoins
<u>Eddie Wilds</u>	<u>1.0 Bitcoin</u>

For a total of 206.5 Bitcoins deposited and not returned.

from Mr. Kagel in his January 7, 2018 letter to our client investors.

David Saffron] has agreed to at all times maintain the deposit in this firm unrestricted access to it. If you have not received your deposit from Mr. Saffron within ten business days' notice

Apparently there's a lawyer involved for you on the claim it's 50 coin I have all of the 206.5 going to him

+ |type a message...



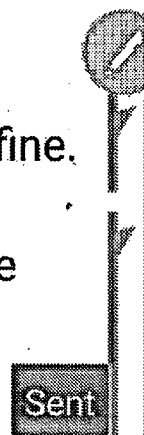




Apparently there's a lawyer involved  
for you on the claim it's 50 coin  
I have all of the 206.5 going to him  
in 3 days

That would be fine.

I take it our agreement is off the  
table?



I never wanted that  
I was in a coma for 1 week after  
robbery then in jail on a stupid fix it  
ticket  
When I came out  
I went submitted to unlock bot  
And started contacting people  
I said 7 days it will all be paid giving  
me time to recoup

Then this lawyer sent letter

Plus I'm hearing from detectives

+ Type a message...







I never wanted that  
I was in a coma for 1 week after  
robbery then in jail on a stupid fix it  
ticket  
When I came out  
I went submitted to unlock bot  
And started contacting people  
I said 7 days it will all be paid giving  
me time to recoup

Then this lawyer sent letter

Plus I'm hearing from detectives  
that Rodney paid the guy  
that attacked me and that's  
disconnecting

So that's where I am  
Take your name of the lawsuit I'll  
pay you the 150 as original planned  
by Monday

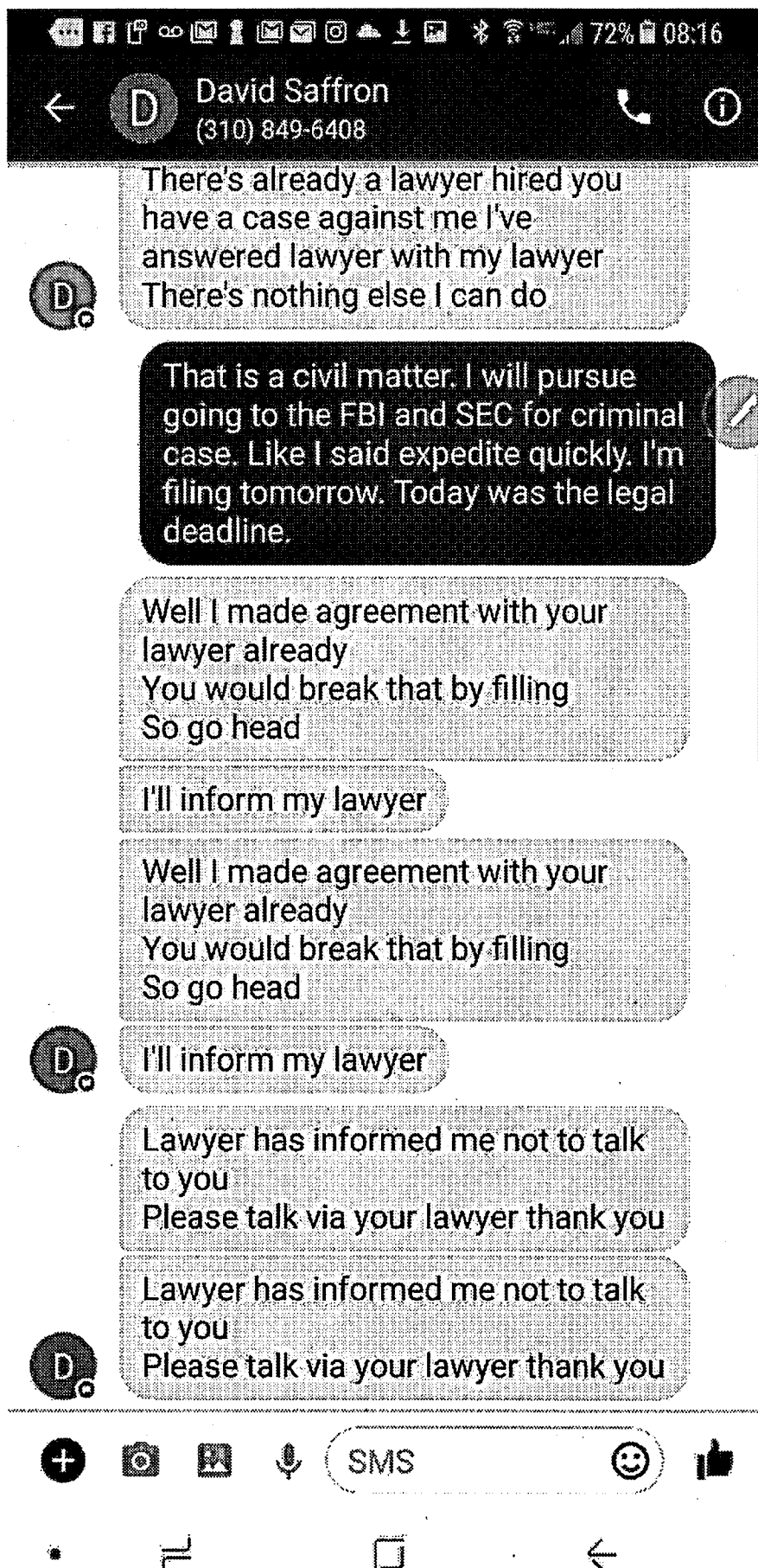
Leave it you'll get the money on  
paper Friday

D

+ |Type a message...











14:08

Hello David, in our last correspondence on Monday you stated that you would be sending 206.5 bitcoin going to the lawyer representing our refund request. You stated that would take place in 3 days which would be on Thursday March 1st. I am a retired US Marine, a man of honor & integrity. As a professional courtesy I will accept your words as a contract of your responsibility. You have left everyone in the dark since the start of this venture and you have not been at all organized in communication or procedure for your clients. On Friday 9am pst if you have not honored your own promises as a man of your word I will report this entire incident which is all documented to a dozen local, state and federal government authorities. The ball is in your court. There is no need to reply back. This is my last attempt.



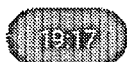
+ Type a message...







would be on Thursday March 1st.  
I am a retired US Marine, a man of  
honor & integrity. As a professional  
courtesy I will accept your words  
as a contract of your responsibility.  
You have left everyone in the dark  
since the start of this venture and  
you have not been at all organized  
in communication or procedure  
for your clients. On Friday 9am pst  
if you have not honored your own  
promises as a man of your word  
I will report this entire incident  
which is all documented to a dozen  
local, state and federal government  
authorities. The ball is in your  
court. There is no need to reply  
back. This is my last attempt.



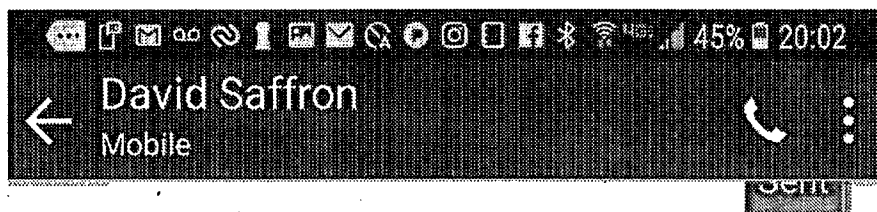
Frank please text  
Your wallet address if I can get  
coins for you I'll send by midnight  
Thursday  
D



+ Type a message...



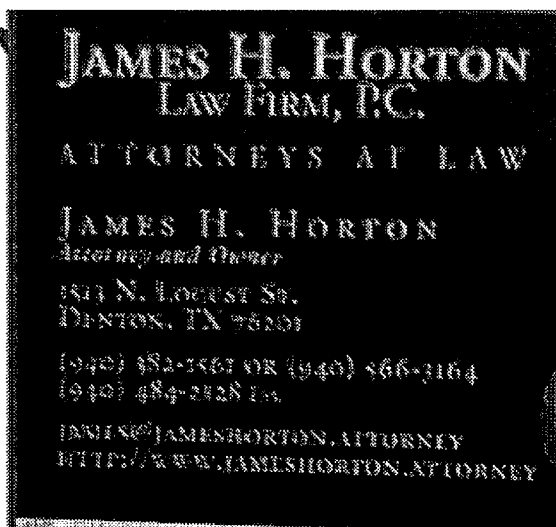




Thursday 10:36

Again  
I have been fully transparent  
My dad actually wants to talk and  
explain from his point of view  
Would you be willing to listen

17:13



This lawyer now handling  
all payments please  
contact him

Regards  
David

+ Type a message...









## Perpetrator's in the Bitcoin Investment Fraud Scheme

David G. Saffron

[REDACTED]

North Hollywood, CA [REDACTED]

Phone: (310) 849-6408

Attorney David Kagel

9400 Readcrest Drive

Beverly Hills, CA 90201

Phone: (310) 993-2129

<http://members.calbar.ca.gov/fal/Member/Detail/58961>

### Possible Accomplice -

Trevor Kohli - Worked for David Saffron and introduced our group of investors to Saffron. He has been seen on social media the past couple months spending money traveling and purchased an expensive car.

[www.facebook.com/trevor.kohli](http://www.facebook.com/trevor.kohli)

[www.linkedin.com/in/trevor-kohli-47057957](http://www.linkedin.com/in/trevor-kohli-47057957)



IC3 logo

Complaint Referral Form  
Internet Crime Complaint Center

---

Thank you for submitting your complaint to the IC3. Please save or print a copy for your records. /\*This is the only time you will have to make a copy of your complaint.\*/

Victim Information

Name: Frank Calabro Jr

Business Name:

Age: 50 - 59

Address: [REDACTED]

Address (continued):

Suite/Apt./Mail Stop:

City: McLeansville

County: NC

Country: United States of America

State: North Carolina

Zip Code/Route: [REDACTED]

Phone Number: 2525032092

Email Address: frankiecalabrojr@gmail.com

Business IT POC, if applicable:

Other Business POC, if applicable:

Financial Transaction(s)

Transaction Type: Virtual Currency



If other, please specify:

Transaction Amount: \$858050.00

Transaction Date: 01/06/2018

Did you send the money? Yes

---

Victim Bank Name: Ledger Nano S

Victim Bank Address:

Victim Bank Address (continued):

Victim Bank Suite/Mail Stop:

Victim Bank City:

Victim Bank Country: [None]

Victim Bank State [None]

Victim Bank Zip Code/Route:

Victim Name on Account: Frank E Calabro Jr

Victim Account Number: btc wallet

---

Recipient Bank Name: Ledger Nano S

Recipient Bank Address:

Recipient Bank Address (continued):

Recipient Bank Suite/Mail Stop:

Recipient Bank City:

Recipient Bank Country: [None]

Recipient Bank State [None]



Recipient Bank Zip Code/Route:

Recipient Name on Account: Frank E Calabro Jr

Recipient Bank Routing Number:

Recipient Account Number: btc wallet address

Recipient Bank SWIFT Code:

#### Description of Incident

Provide a description of the incident and how you were victimized.

Provide information not captured elsewhere in this complaint form.

I Frank E Calabro Jr would like to file an official report of an investment scheme being ran by David Gilbert Saffron and his attorney David Kagel.

I personally invested 50 Bitcoin into the investment scam on Jan 6th 2018. On that date the equivalent to US dollars was \$17,161 per BTC or \$858,050.00 USD.

David Saffron through an online webinar and in person meetings promised, convinced and explained how he could multiply Bitcoin through strategic arbitrage tactics in the crypto currency markets. He promised to double my investment of Bitcoin in as fast as 3 days. He then offered total security and safety to protect my investment through his attorney David Kagel.

My first in person lunch meeting with David Saffron was in Las Vegas on January 10th 2018. This gathering included several other investors. During our discussions David Saffron called his attorney Mr. David Kagel. David's cell phone was passed around the table to each investor attending that meeting. When I spoke to attorney David Kagel and introduced myself he was very friendly & personable on the phone. Mr. Kagel collected my email addresses and immediately sent a letter that insured my Bitcoin investment was not only safe, but back by a Bitcoin wallet in his control. The letter stated that his law firm had unrestricted access. In addition, he held no less than 1,000 Bitcoin in this wallet. The letter also stated the exact instructions to follow in the event of that David Saffron was unwilling or unable to return my deposit.

The last time that I have seen David Saffron was at a party he held in his Penthouse Suite at the Cosmopolitan Hotel & Casino in Las Vegas. I arrived to that gathering at midnight and I departed around 3am on Saturday January 6th 2018.



Communication since has been through other investors pulled into Saffron's scheme. There was no organization as to how we would be paid and exactly who to contact. Also, after the in-person meeting in Vegas which I left being told by David Saffron that he could double my Bitcoin every week, the duration of time (1 week) kept changing. From my notes and through what other investors were telling me, the new time table to double my coins was once every 21 days. I was never told when that 21-day trading cycle started or ended.

My next and last communication from David Saffron was on February 26th 2018. He stated in a text message that he had received a letter from his attorney Mr. David Kagel. This letter was from my Attorney John Owen Murrin and as part of a group of investors, we were requesting that our original Bitcoin be returned. The total amount of Bitcoin collected from our group of 8 investors was 206.5 bitcoins or \$3,543,746.50 in US dollars.

David Saffron stated that he had already made arrangements with our law firm to return the funds which is a lie as I had just gotten out of an hour-long meeting with our legal team just minutes before receiving Saffron's text.

I do not know how long or how many investors have been scammed in this ongoing charade. David Saffron and his attorney David Kagel must be arrested, charged and stopped from this criminal activity immediately. They have already stolen over 3 million dollars from our small group of 8 people.

In my last correspondence with David Saffron he boasted how is he continues to travel across the country presenting his fraudulent scheme. He has ties to organized crime in Australia and has a passport issued from that country. I fear that he will flee before being brought to justice. His actions are of a conniving felon and he must be stopped immediately!

Which of the following were used in this incident? (Check all that apply.)

☐ Spoofed Email

☐ Similar Domain

☐ Email Intrusion



â~ Other

Please specify:

Law enforcement or regulatory agencies may desire copies of pertinent documents or other evidence regarding your complaint.

Originals should be retained for use by law enforcement agencies.

Information About The Subject(s) Who Victimized You

Name: David G. Saffron

Business Name:

Address: [REDACTED]

Address (continued):

Suite/Apt./Mail Stop:

City: North Hollywood

Country: United States of America

State: California

Zip Code/Route: [REDACTED]

Phone Number: 3108496408

Email Address:

Website: www.facebook.com/AOS2017

IP Address:

-----  
Name: David Kagel

Business Name: Attorney Kagel Law

Address: 9400 Readcrest Drive

Address (continued):

Suite/Apt./Mail Stop:



City: Beverly Hills

Country: United States of America

State: California

Zip Code/Route: 90201

Phone Number: 3109932129

Email Address: dkagel@earthlink.net

Website: www.lawyercontact.us/lawyer/los-angeles-law-firm-david-l-kagel

IP Address:

Other Information

If an email was used in this incident, please provide a copy of the entire email including full email headers.

Fraud Documents from Frank Calabro Jr

<https://drive.google.com/drive/folders/16RviXHGVyEeZEp8VdNWKxWm0HmweH96V>

Additional Evidence Files

[https://drive.google.com/drive/folders/108JgM6UehzhOnznOgjkpIT77\\_pd94p2t](https://drive.google.com/drive/folders/108JgM6UehzhOnznOgjkpIT77_pd94p2t)

Are there any other witnesses or victims to this incident?

Rodney Burton - 50 Bitcoins

Frank E. Calabro Jr. - 50 Bitcoins

Hitesh Junega - 20 Bitcoins

Michael Jamison Palmer - 50 Bitcoins

Kameron Pollock - 2.5 Bitcoins



Nathan Van Tuyl - 28 Bitcoins

Dee Washington - 5 Bitcoins

Eddie Wilds - 1 Bitcoin

For a total of 206.5 Bitcoins deposited and not returned.

If you have reported this incident to other law enforcement or government agencies, please provide the name, phone number, email, date reported, report number, etc.

I did call the FBI in Los Angeles, CA. Filed a report with Daniel (310) 477-6565, on March 2, 2018.

â Check here if this an update to a previously filed complaint:

Who Filed the Complaint

Were you the victim in the incident described above? Yes

Digital Signature

By digitally signing this document, I affirm that the information I provided is true and accurate to the best of my knowledge. I understand that providing false information could make me subject to fine, imprisonment, or both. (Title 18, U.S. Code, Section 1001)

Digital Signature: Frank E Calabro Jr

Thank you for submitting your complaint to the IC3. Please save or print a copy for your records. /\*This is the only time you will have to make a copy of your complaint.\*/



## Event Timeline: David Saffron Investment Fraud Scheme

Jan 5<sup>th</sup> - attended zoom webinar (zoom meeting id: 251-997-3628) David Saffron presented his Bitcoin trading strategy. Video clip: <https://youtu.be/AcSXWX6taZY>

Jan 6<sup>th</sup> - I invested 50 Bitcoin or \$858,050.00 USD into David Saffron's investment plan. I was told my 50 Bitcoin would be doubled by Tuesday the 9<sup>th</sup> because of special market conditions.

Jan 8<sup>th</sup> - I flew to Las Vegas late Monday night. I wanted to meet David Saffron in person and other Bitcoin investors. I also planned on collecting my earnings in person.

Jan 10<sup>th</sup> - 1<sup>st</sup> meeting with David Saffron and other investors. There were approx. 8 people in our lunch party. Meeting lasted around 2 hours. Contact with attorney Mr. David Kagel was made via phone during this event.

Jan 11<sup>th</sup> - 2<sup>nd</sup> meeting with David Saffron and several other investors at the Vesper Bar & Lounge inside of the Cosmopolitan Hotel & Casino. I arrived around 12pm and the gathering was already in session. This gathering lasted around 1 hour. We were all invited to David Saffron's hotel suite at midnight that evening for a party.

Jan 13<sup>th</sup> - I flew home to North Carolina that afternoon.

Jan 16<sup>th</sup> - I sent David Saffron a text message and informed him that I was going to withdraw my seed money of 50 bitcoin the next day which was Wednesday Jan 17<sup>th</sup>. His reply was: ok

Jan 17<sup>th</sup> - All the investors that I was in contact with including myself thought this was going to be payday. There was no communication from David Saffron nor did anyone get paid. I am confused because I am trying to calculate when the 21-day trading cycle begins or ends. The terms keep changing and there is zero professional accountability.

Jan 23<sup>rd</sup> - David Saffron is arrested for an old warrant in Fulton County Georgia

Jan 23<sup>rd</sup> - one of the Bitcoin investors Rodney Burton sent me a photo of David Saffron. His arms are in duct tape and to me, it looks like a prank. Rodney informs me that out of the blue he gets this photo from David Saffron's phone.

Jan 25<sup>th</sup> - I sent attorney David Kagel an email asking about David Saffron and to verify the bitcoin wallet balance amount.

Jan 25<sup>th</sup> - I called attorney David Kagel to follow up with a conversation that we started on January 10<sup>th</sup> while I was in Las Vegas. Toward the end of my consultation I am told that David Saffron had an accident. David Kagel said his client was roughed up and gun was pulled on him and in bad shape. He also stated that David Saffron had his phone and computer taken from him. He went on to say that David Saffron would be out of commission for a few weeks. I immediately wish David a speedy recovery and asked if the 1,000 Bitcoin wallet was safe. Mr. Kagel did not seem to understand how to access the bitcoin but assured me that everything was going to be okay.

Jan 26<sup>th</sup> - I contact 3 of the investors that I personally know and all are thinking that David Saffron is a scam artist including myself.

Jan 30<sup>th</sup> - retained the Murrin Law Firm 7045 E Los Santos Dr, Long Beach, CA 90815 to represent our group of investors. As a group we have contacted attorney David Kagel and followed the 10 day return of deposit followed by the 5 business notice for returned deposit from the unrestricted access notice.

February 1<sup>st</sup> - ten-day notice letter for return of deposit is sent to Mr. Kagel and Mr. Saffron

February 12<sup>th</sup> - reply letter from attorney David Kagel to Murrin Law firm explains David Saffron had personal and legal issues. This letter states David Saffron will contact and return deposits to all investors.



Feb 15<sup>th</sup> – second letter sent to attorney David Kagel (5 day further notice for return of deposit) is requested and asked that written agreements be honored.

Feb 16<sup>th</sup> – David Saffron post bail and is released from jail in Georgia.

Feb 17<sup>th</sup> – a post is made on David Saffron's Facebook account. The notice states it is from Alan Saffron David's father. The timeline and events listed say that David was in a coma the same time that he was in jail.

Feb 26<sup>th</sup> – Frank Calabro Jr contacts David Saffron via text message. David Saffron states he has my 50 coins and it will be included in the group total refund of 206.5, this amount will be sent to my lawyer in 3 days or on March 1<sup>st</sup> 2018. I documented this entire conversation.

Feb 27<sup>th</sup> – Frank Calabro Jr contacts David Saffron via text message. David reply back with he will refund my 50 bitcoin by midnight March 1<sup>st</sup> 2018. He also asks for my bitcoin wallet address.

March 1<sup>st</sup> – email from attorney David Kagel stating that bitcoin will be returned at some point.

March 1<sup>st</sup> - Murrin Law Firm replies to David Kagel letter.

March 2<sup>nd</sup> – Frank Calabro Jr checks his bitcoin wallet address, coins have not been refunded as promised.



**KAGEL LAW**

A Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
TELEPHONE: (310) 860-9975  
E-MAIL: [dkagel@earthlink.net](mailto:dkagel@earthlink.net)

January 10, 2018

Frank Calabro, Jr.  
[frankiecalabrojr@gmail.com](mailto:frankiecalabrojr@gmail.com)

Dear Mr. Calabro:

This firm acts as counsel to David Saffron. We understand that you will be depositing bitcoin and other forms of cryptocurrency with Mr. Saffron which he will be investing on your behalf. He has agreed to return your investment to you together with a profit. In order to assure that your deposit will be returned in the event that Mr. Saffron is unable or unwilling to do so he has deposited at least one thousand bitcoin in a wallet to which he has given us access. He has agreed to at all times maintain the deposit in the wallet and give this firm unrestricted access to it. If you have not received the return of your deposit from Mr. Saffron following ten business days' notice to him with a copy to us, upon five business days' notice to us we will return your deposit from the aforementioned wallet.

You agree to copy us on all written communication between you and Mr. Saffron and to advise us of the contents of all verbal communications between the two of you.

Very truly yours,

Kagel Law, a Professional Corporation

By   
David L. Kagel





David Kagel &lt;davidlkagel@gmail.com&gt;

**Re: Saffron7899**

2 messages

QM FINACE [REDACTED]@gmail.com&gt;

Wed, Feb 28, 2018 at 9:57 PM

To: "David L. Kagel" &lt;dkagel@earthlink.net&gt;

Dear Sir,

The matter has been pending for 6 working days, our legal department is verifying your clients documents.  
we told him this process would take 14 working days.

Please provide your clients security pass key ?

Please provide your clients last transaction date and amount?

Please provide your clients last session and BTC thru put?

Verify these things and we can close his account, once closed his money will be returned to your BTC trust account  
within 5 working days.

Kind Regards

Mr Wang Ta

On Tue, Feb 27, 2018 at 6:40 PM, David L. Kagel &lt;dkagel@earthlink.net&gt; wrote:

This matter has been pending of far too long. I need a response from your legal department within 24 hours and the  
return of my client's BTC immediately. David L. Kagel

-----Original Message-----

From: QM FINACE

Sent: Feb 27, 2018 3:20 PM

To: David Kagel

Subject: Re: Saffron7899

We Have received your inquire and will forward to our legal department.  
within 24-72 hours

Regards

Tony Gama  
QM8

2018-02-27 14:45 GMT-05:00 David Kagel &lt;dkagel@earthlink.net&gt;:



David L. Kagel  
Kagel Law, a Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
Office 310-860-9975  
Cell 310-993-2129

David Kagel <davidlkagel@gmail.com>  
To: Erwin Z <davidsaffron@live.com>

Wed, Feb 28, 2018 at 10:24 PM

Sent from my iPhone

Begin forwarded message:

From: QM FINACE <qm8site@gmail.com>  
Date: February 28, 2018 at 9:57:18 PM PST  
To: "David L. Kagel" <dkagel@earthlink.net>  
Subject: Re: Saffron7899

[Quoted text hidden]



Answers to questions :

Pass Key:

-----BEGIN PGP PUBLIC KEY BLOCK-----

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=go0N

-----END PGP PUBLIC KEY BLOCK-----

Last Transaction : Jan 22 2018 Amount 459BTC

<https://mail.google.com/mail/u/0/#inbox/161e022f8fb7e980>

Page 1



M U R R I N L A W F I R M

— EST. 1977 —

Mailing address:  
7045 E. Los Santos Drive  
Long Beach, CA 90815  
562-342-3011 (Office)  
562-724-7007 (Fax)

J. Owen Murrin  
www.murrinlawfirm.com  
jmurrin@murrinlawfirm.com

Client Appointment Office:  
5150 Pacific Coast Highway  
Suite 200, Long Beach, CA 90804

Practicing law in California & North Dakota only.  
Nationwide Securities Arbitration and Mediation Services.

March 1, 2018

Via Email

David L. Kagel, Chief Executive Officer, Director  
Kagel Law, a Professional Corporation  
dkagel@earthlink.net

Ina Kagel  
Chief Financial Officer, Secretary, and Director of Kagel Law, APC  
ikagel@earthlink.net

Re: Return of Bitcoin Deposit

Dear Mr. David L. Kagel and Ms. Ina P. Kagel;

We are in receipt of your email this morning which states for us to expect “the BTC wallet to be released shortly.” Recall that your February 12<sup>th</sup> letter stated that Mr. Saffron would be in a position to “return their (the investors’) deposits or otherwise make arrangements satisfactory to them. I expect that he will be able to begin that process by the end of this week.” It has now been almost three weeks and now you have yet another delay tactic in claiming that because of some alleged investigation of the assault on David Saffron, “the deposits will be held pending the outcome of the investigation.” Your attachment to your email did not reference any investigation of an assault, nor do we have any evidence of an assault or investigation. You have no basis whatsoever to withhold my clients’ deposit based on some alleged investigation. If indeed there is an investigation, please provide proof of this investigation of an assault on David Saffron, or provide a signed release authorizing our firm to obtain the Sheriff’s department January 23, 2018 arrest records of David Saffron.

Your failure to provide the information below and the signed release in the next 96 hours, or by Monday, March 5, 2018 will be deemed either an outright breach or an anticipatory repudiation of your obligation to indemnify pursuant to your January 7, 2018 letter to my clients.

As Attorneys, promising to provide an escrow function for the benefit and security of my clients, you have a fiduciary duty. We are deeply disappointed that your response to our letters has not provided us with any of the information we requested previously. Namely, my clients have requested the following information which you have not responded to. We have the right to this information:



Mr. Kagel, Ms. Ina Kagel, Kagel Law, APC  
March 1, 2018  
Page 2

1. Given that my clients were told that this is a Ledger Nano Account, my clients want the receiving address verifying that the cryptocurrency was received and is still being held in one wallet and that the coins have not been dissipated into various and many wallets.

2. Given that my clients were told that your office, Kagel Law, APC, would be acting to "assure" that the deposit would be returned, my clients demand proof from you that the coins still exist in the wallet.

3. In furtherance thereof, my clients want viewing access to the wallet holding their deposit. As you know viewing a wallet is easily done if in possession of the correct watching wallet address. Viewing does not allow withdrawal. Allowing my clients access to the watching wallet address will assure my clients that the coins still exist.

4. My clients are confused about your statement that "Mr. Saffron disabled access to them (cryptocurrency) by anyone other than himself." My clients want you to define "access". Is access to this wallet through a key, through a PIN number or through other means? Again, it defies logic that if you previously had unrestricted access to the wallet, that Mr. Saffron could disable that access during a stressful event as described in your February 12<sup>th</sup> letter.

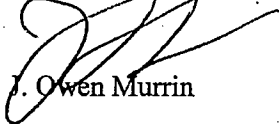
5. My clients were assured that your office was performing an escrow function. As such, my clients want to know what precautions you have taken to assure the safekeeping of my clients' deposit.

Again, our clients have not received the return of their deposit or the promised return on their investment. Please return the deposit by Monday at noon, March 5, 2018, or we will take the appropriate legal action to assure that our clients' oral and written agreements with Mr. Saffron and Kagel Law, APC, (Mr. Kagel and Ms. Kagel), are honored.

Please do not hesitate to give me a call if you wish to resolve this matter swiftly and amicably, or if you have any questions, suggestions, or instructions on how my clients can obtain the deposited bitcoin as quickly and efficiently as possible in accordance with the assurances that your firm and Mr. Saffron gave to my clients.

Very truly yours,

MURRIN LAW FIRM



J. Owen Murrin



01/31/2018 at 6:48 PM	• My account	from		
01/31/2018 at 1:12 AM	• My account	from		
01/29/2018 at 1:16 PM	• My account	to		
01/29/2018 at 1:07 PM	• My account	to		
01/15/2018 at 3:04 PM	• My account	from		
01/15/2018 at 1:28 PM	• My account	from		
01/15/2018 at 10:36 AM	• My account	from		
01/06/2018 at 9:41 PM	• My account	to		
01/06/2018 at 4:40 PM	• My account	from		
01/05/2018 at 2:09 PM	• My account	from		
01/05/2018 at 11:44 AM	• My account	from		
01/05/2018 at 9:24 AM	• My account	from		
01/05/2018 at 9:22 AM	• My account	from		
01/05/2018 at 9:19 AM	• My account	from		
01/02/2018 at 2:28 PM	• My account	from		

87F

USD -516,172.42

BTC -50.00895356



01/31/2018 at 6:48 PM	• My account	from			
01/31/2018 at 1:12 AM	• My account	from			
01/29/2018 at 1:16 PM	• My account	to			
01/29/2018 at 1:07 PM	• My account	to			
01/15/2018 at 3:04 PM	• My account	from			
01/15/2018 at 1:28 PM	• My account	from			
01/15/2018 at 10:36 AM	• My account	from			
01/06/2018 at 9:41 PM	• My account	to			
01/06/2018 at 4:40 PM	• My account	from			
01/05/2018 at 2:09 PM	• My account	from			
01/05/2018 at 11:44 AM	• My account	from			
01/05/2018 at 9:24 AM	• My account	from			
01/05/2018 at 9:22 AM	• My account	from			
01/05/2018 at 9:19 AM	• My account	from			
01/02/2018 at 2:28 PM	• My account	from			

USD -516,172.42 BTC -50.00895356



Jan 5<sup>th</sup> - attended zoom webinar (zoom meeting id: 251-997-3628)

David Saffron presented his Bitcoin trading strategy.

Video clip: <https://youtu.be/AcSXWX6taZY>









app5.lasd.org



State of California Inmate Loc...

Jail and Custody Related Ques...

LASD Inmate Informatio...

The Los Angeles County  
Sheriff's Department

Inmate Information Center

(The information was current as of: 01/27/2018 20:29 PST)

VINELink

Search For Another Inmate

Back To The Search Result

Booking No.: 5211943 Last Name: SAFFRON First Name: DAVID Middle Name: GILBERT

Sex: M Race: W Date Of Birth: 972 Age: 45 Hair: BRO Eyes: BRO Height: 603 Weight: 240

Charge Level: F (Felony)

## ARREST

Arrest Date: 01/23/2018 Arrest Time: 0400 Arrest Agency: 4215 Agency Description: LAPD-NO HOLLYWOOD DIVISION

Date Booked: 01/23/2018 Time Booked: 1206 Booking Location: 4279 Location Description: LAPD - VALLEY JAIL (VAN NUYS)

## BAIL

Total Bail Amount: NO BAIL Total Hold Bail Amount: 0.00 Grand Total: NO BAIL

## HOUSING LOCATION

Housing Location: IRC

Permanent Housing Assigned Date: 01/27/2018 Assigned Time: 1017 Visitor Status: N

Facility: INMATE RECEPTION CENTER

Address: 450 BAUCHET STREET City: LOS ANGELES

Public Visiting Guidelines

For County facility visiting hours, Please call (213) 473-6080 at Inmate Information Center.

## COURT

Next Court Code: M30 Next Court Date: 02/08/2018 Next Court Time: 0830 Next Court Case: BA46493501

Court Name: LOS ANGELES MUNI CT DIV 30

Court Address: 210 W. TEMPLE STREET Court City: LOS ANGELESUPT

## RELEASE

No Information On Release Date.

## CASE INFORMATION

Case No.	Court Name	Court Address	Court City	Bail Amt.	Fine Amt.	Court Date	Sent. Date	Sent. Day(s)	Disp Code
BA*****				NO BAIL	.00	02/08/2018		0	

Click on specific Case No. for detailed information.





Frank E Calabro Jr <frankiecalabrojr@gmail.com>

Jan 25



to David

Hello David,

I sent you a text yesterday about setting up a consultation for corporate structure.

I could actually fly out to Los Angeles and would like to at some point, to meet with you in person.

Also I wanted to verify the one thousand Bitcoin balance held in Escrow.

David Saffron has not paid anyone in our group and it is unclear as of why that is the case.

I recall how much you said that you liked Hendersonville, NC and I am actually going there on a weekend getaway in 3 weeks.

Looking Forward To Our Meeting,

Frank Calabro Jr

252-503-2092

2018-01-10 19:28 GMT-05:00 David Kagel <[dkagel@earthlink.net](mailto:dkagel@earthlink.net)>



**Exhibit 18 - Materials Produced by Participant 4**



Message

**From:** Hitesh Juneja [hitesh93@gmail.com]  
**Sent:** 10/9/2018 7:17:43 PM  
**To:** Amakor, Michael O. [/o=CFTC/ou=Washington, DC/cn=Recipients/cn=mamakor]  
**Subject:** Re: Subpoena from the CFTC

Hi Michael,

Just wanted to add a note that we dropped the lawsuit after his 100 btc payment back to us on April 15. Though he hadn't paid others back yet, we couldn't justify the cost and time commitments to running a lawsuit when we had already received a payment from him.

On Tue, Oct 9, 2018 at 4:39 PM Hitesh Juneja <[hitesh93@gmail.com](mailto:hitesh93@gmail.com)> wrote:

Hi Michael,

As per our phone conversation, I have attached all the information I compiled originally for our lawsuit and any updates since.

I hope this helps!

Sincerely,  
Hitesh Juneja

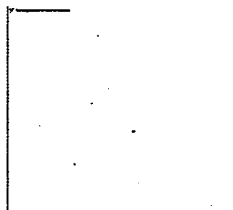
On Tue, Oct 9, 2018 at 3:23 PM Amakor, Michael O. <[mamakor@cftc.gov](mailto:mamakor@cftc.gov)> wrote:

Dear Mr. Juneja,

Please find attached a Subpoena and two related documents from the U.S. Commodity Futures Trading Commission's ("CFTC") Division of Enforcement in the matter of David G. Saffron and David Kagel.

Should you have any questions please contact me, thank you.

Sincerely,



Michael O. Amakor

**Futures Trading Investigator**

Division of Enforcement, U.S. Commodity Futures Trading Commission

1155 21<sup>st</sup> Street, NW | Washington, DC 20581 | Tel: 202.418.5553 | Fax 202.418.5124

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**Original Information shared with our attorney:**

Nathan will be providing you with complete timelines. I am including my experience here:

January 1st and 2nd I received calls from Nathan and Dion informing me that they were in Las Vegas meeting with David Saffron who had promised them 3 to 1 returns in as little as 3 days on Bitcoin investments. I was put on call with David who made the following claims:

- Mr. Saffron was trading and managing a portfolio of over 5000 bitcoin (roughly \$75million)
- He was using an automated robot/AI/trading software that was able to open and close positions automatically and net him a 5 to 8 times return on the trades.
- He required more funds to be able to scale up his trading.
- He had 1000 BTC (about \$15m) in a private escrow that David Kagel (his attorney) had access to. In case he was unable to provide the promised returns within the provided timeframe, Mr. Kagel would access the escrow to pay out to the investor.

The letter shared with me for this purpose is here ->

<https://drive.google.com/open?id=0B73W4ajUYPF6MmxRTjk4dmZGYUo4NDZTcWFpSFJ1LXFUazVF>

On January 3rd, I received text from Nathan confirming that he had done a 10btc investment (\$150,000) and received 30btc (\$450,000) payment in a 24 hour period. I was told the source of this increase was the cutting edge software trading that David Saffron was utilizing.

On January 4th I flew out to Vegas to meet David Saffron and his group. We had a preliminary meeting where he re-stated the points he made over the phone (noted above). At this point he invited us (Nathan, Dion, and I) to his room so he could share more evidence of returns.

He showed a few screenshots of returns to other clients. He said he had open positions available that would mature on Sunday and would provide a 3 to 1 return, failing which the escrow would cover this investment, and excused himself to attend some phone calls. Based on Nathans' experience and the information presented I personally had my business partner send in 20btc with the expectation of 60 BTC return on the following sunday, 3 days later.

On Sunday, David Saffron got on a phone call with me and suggested that I invest additional funds and that I should expect to receive 60btc in a few hours. He put me on call with David Kagel and had him confirm again that he indeed had an escrow and also sent me the attached letter. I promised further investment after the first return was done.

Over the course of the next 20 days David Saffron made tens of excuses including demonstrably false statements (such as claiming he sent the funds to Nathan, that it was stuck in the banking channels and so on). He further apologized for the delay and promised to increase the return to 65btc, then 70 btc, and eventually 130btc with the



promise to return the funds 21 days from initial investment (January 25-26). He claimed that his usual cycle was 21 days but in an effort to please Nathan he promised it in 3 days which he was unable to keep.

During this time he continued to push for more investments, which I continued to promise only on delivery of the initial deal.

On January 13th, I spoke with David Kagel and asked him to release the funds from the escrow. Mr. Kagel promised to do so. A few hours later, I asked again for a status update and he claimed to have released the funds to Mr. Saffron after stating he wasn't in town to do so, and then claiming he had "done what was needed and now David Saffron will handle things".

Mr. Saffron meanwhile claimed that Mr. Kagel didn't know how to work with Bitcoin properly and had misled me about releasing the bitcoin. Over the next few days the same excuses continued and Mr. Saffron stated he was closing additional clients and would use those funds to "leverage his positions" and would be able to pay me back. As of today, the same excuses continue. During this time I have been able to research further into Mr. Saffron and Mr. Kagel's backgrounds and discovered this is typical for them. I also spoke with other victims not related to Nathan's group who have been put through the same process and are currently trying to recover their funds.

Nathan will be able to furnish more complete timelines including his experience, audio and video recordings of David Saffron making such claims and trying to close clients.

#### **Information from Nathan:**

Here is an audio recording of the initial meeting I had with David Saffron at his hotel room at the Cosmopolitan hotel in Las Vegas on January 2nd at 3:04pm:

[https://drive.google.com/open?id=1DnbwVgR9AofVcy3HUnRYC\\_f8sGAQ7ohO](https://drive.google.com/open?id=1DnbwVgR9AofVcy3HUnRYC_f8sGAQ7ohO)

This is a timeline of the audio recording

Timeline	Event
0:00 - 0:55	His Pitch
0:55 - 3:10	Sob Story (also part of pitch)
3:10 - 3:25	Explain why he needs us
3:25 - 4:00	Explains our compensation
4:00 - 4:50	Pitch
4:50 - 5:05	Testimonials



5:05 - 5:15	Saffrons created Genesis Mining (USI Tech)
5:15 - 5:30	Saffron created USI Tech's renewable energy technology
5:40 - 6:00	Saffrons an inventor
6:00 - 7:00	Saffron wants other to rise with him
7:00 - 7:10	Saffrons client list (Evan Ahem, Mark Cuban, Maloof
7:10 - 8:00	How to get started

Over the next 5 days, Bitcoin was given to David Saffron daily as shown in this spreadsheet:

<https://drive.google.com/open?id=1OqClipMvHh5-ooThuKiAatsSGdXFrP2>

On the 11th of January Saffron allowed me to record video of his "trading bot":

<https://drive.google.com/open?id=1meOLkCiW1YmFBZplyNiwR3a3A5kLyRJh>

#### **Updates Since the above:**

David created and launched bitm8.io, then theomicrontrust.com, which was renamed to circlesociety.com over a course of 5 months. I kept in touch with him and continued to request that he pay out what is owed to us. At this point David stated that he would be able to pay us should I promise to get him more investment in his websites. He finally paid a portion of what he owed (100btc) to us with the condition that we reinvest a portion on his new site or get more investors.

Being unwilling to publicize or promote David at all, we simply reinvested a portion under various pseudonyms which is now stuck in his website pending release. From the conversations with other investors like Rodney Burton, they have still not been paid by David and various excuses have been implemented.



KAGEL LAW  
A Professional Corporation  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
TELEPHONE: (310) 860-9975  
E-MAIL: dkagel@earthlink.net

January 7, 2018

Hitesh Juneja  
Jason Rose  
B&B Business Institute Corp., LLC

Cypress TX

Gentlemen:

This firm acts as counsel to David Saffron. We understand that you will be depositing bitcoin and other forms of cryptocurrency with Mr. Saffron which he will be investing on your behalf. He has agreed to return your investment to you together with a profit. In order to assure that your deposit will be returned in the event that Mr. Saffron is unable or unwilling to do so he has deposited at least one thousand bitcoin in a wallet to which he has given us access. He has agreed to at all times maintain the deposit in the wallet and give this firm unrestricted access to it. If you have not received the return of your deposit from Mr. Saffron following ten business days' notice to him with a copy to us, upon five business days' notice to us we will return your deposit from the aforementioned wallet.

You agree to copy us on all written communication between you and Mr. Saffron and to advise us of the contents of all verbal communications between the two of you.

Very truly yours,

Kagel Law, a Professional Corporation

By   
David L. Kagel



## Exhibit 19 - Materials Produced by Participant 5



Message

**From:** Kameron Pollock [kameron.pollock7@gmail.com]  
**Sent:** 10/10/2018 4:35:28 PM  
**To:** Amakor, Michael O. [/o=CFTC/ou=Washington, DC/cn=Recipients/cn=mamakor]  
**Subject:** Re: Subpoena from the CFTC  
**Attachments:** Screen Shot 2018-10-10 at 1.33.23 PM.png

Thank you Michael,

Here are my answers

1. All communications with David Saffron;

None

2. All communications with David Kagel;

None

3. All video or audio recordings of David Saffron;

None

4. All video or audio recordings of David Kagel;

None

5. All documents relating to any investment with David Saffron;

None

6. All documents relating to any potential investment with David Saffron;

None

7. Account statements relating to any investment with David Saffron;

None

8. Bank records relating to any investment with David Saffron;

None

9. Marketing materials relating to any investment with David Saffron;

None

10. All documents relating to Bitcoins provided to David Saffron.

Here is a screenshot of the bitcoin I sent to Nathan Van Tuyl. (provided Below)



Thank you Michael,

Kameron Pollock

On Wed, Oct 10, 2018 at 1:15 PM Amakor, Michael O. <[mamakor@cftc.gov](mailto:mamakor@cftc.gov)> wrote:

Dear Mr. Pollock,

As discussed please fill in your responses along with your experiences for each of the elements:

**Documents To Be Produced Pursuant To Subpoena**

For the subpoena period, please produce the following documents and communications:

1. All communications with David Saffron;
2. All communications with David Kagel;
3. All video or audio recordings of David Saffron;
4. All video or audio recordings of David Kagel;
5. All documents relating to any investment with David Saffron;
6. All documents relating to any potential investment with David Saffron;
7. Account statements relating to any investment with David Saffron;
8. Bank records relating to any investment with David Saffron;
9. Marketing materials relating to any investment with David Saffron;
10. All documents relating to Bitcoins provided to David Saffron.

Sincerely



Michael

---

**From:** Amakor, Michael O.  
**Sent:** Wednesday, October 10, 2018 10:14 AM  
**To:** 'Kam'  
**Subject:** RE: Subpoena from the CFTC

Kam, please call me at 202-418-5553

---

**From:** Kam [mailto:kameron.pollock7@gmail.com]  
**Sent:** Tuesday, October 09, 2018 10:21 PM  
**To:** Amakor, Michael O.  
**Subject:** Re: Subpoena from the CFTC

Hi I am very confused? Can you please explain what this is?

Thank you

Kameron Pollock

Sent from my iPhone

On Oct 9, 2018, at 1:17 PM, Amakor, Michael O. <mamakor@CFTC.gov> wrote:

Dear Mr. Pollock,

Please find attached a Subpoena and two related documents from the U.S. Commodity Futures Trading Commission's ("CFTC") Division of Enforcement in the matter of David G. Saffron and David Kagel.

Should you have any questions please contact me, thank you.

Sincerely,



<image002.jpg>Michael O. Amakor

**Futures Trading Investigator**

Division of Enforcement, U.S. Commodity Futures Trading Commission

1155 21<sup>st</sup> Street, NW | Washington, DC 20581 | Tel: 202.418.5553 | Fax  
202.418.5124

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<Subpoena to Kameron Pollock.pdf>

<CFTC Subpoena Statement.pdf>

<CFTC Data Delivery Standards.pdf>